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Filing date: **09/20/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91222980
Party	Defendant ELB MDF Devco LLC
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Submission	Other Motions/Papers
Filer's Name	Victoria J. B. Doyle
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Signature	/vjbd/
Date	09/20/2016
Attachments	IMPERIAL COMPANIES Motion with Written Consent to Amend Application.pdf(177552 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----X
CHEROKEE SUGAR LAND, L.P., :
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Opposer, :
 :
v. :
 :
ELB MDF DEVCO LLC, :
 :
Applicant. :
 :
-----X

Opposition No. 91222980
In re Serial No. 86/369,198
Mark: IMPERIAL COMPANIES

MOTION WITH WRITTEN CONSENT TO AMEND APPLICANT'S APPLICATION

In response to the TTAB's Order dated September 15, 2016, Applicant ELB MDF Devco LLC submits herewith Opposer's express written consent to Applicant's request that the recitation of services in the opposed application, Serial No. 86/369,198, be amended as follows:

Please *delete all* of the services in Class 37 from the application, namely:

Real estate development; real estate development and construction of commercial, residential and hotel property.

In view of the signatures of both parties, through their attorneys, below, Applicant respectfully requests that the motion be granted.

Dated: September 20, 2016

FRIED, FRANK, HARRIS, SHRIVER
& JACOBSON LLP

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY pursuant to 28 U.S.C. § 1746 that on this 20th day of September, 2016, I caused a true copy of the attached MOTION WITH CONSENT TO AMEND APPLICANT'S APPLICATION to be served by Electronic Mail (with consent) upon:

MELISSA S. RIZZO, ESQ.
STEPHEN R. LEWIS, ESQ.
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