

ESTTA Tracking number: **ESTTA834507**

Filing date: **07/20/2017**

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

Proceeding	91222989
Party	Defendant BRAZIL Network GmbH
Correspondence Address	KARIN SEGALL LEASON ELLIS LLP ONE BARKER AVENUE FIFTH FLOOR WHITE PLAINS, NY 10601 UNITED STATES Email: tmddocket@leasonellis.com , segall@leasonellis.com
Submission	Other Motions/Papers
Filer's Name	Karin Segall
Filer's email	tmddocket@leasonellis.com , segall@leasonellis.com , Pecsenye@BlankRome.com , BCraig@blankrome.com
Signature	/karinsegall/
Date	07/20/2017
Attachments	DOC090312-001.pdf(75388 bytes)

EXHIBIT B

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

-----X
M&D WHOLESALE DISTRIBUTORS, INC.,

Opposer,

v.

Opposition No. 91222989

MARCO ROCCHI

Serial No. 79152327

Mark: CAMPO BAHIA

and

BRAZIL NETWORK GMBH,

Applicants.

-----X

AMENDMENT TO APPLICATION

Applicants hereby amend the subject application (1) to amend the Class 34 identification of goods to “smoker’s articles, namely, matches” only and (2) to delete from the Class 35 recitation of services the words “tobacco, smoker’s articles,” as follows:

Class 34: Tobacco; smoker’s articles, namely, ~~cigarettes, cigars, cigarillos, smoking tobacco, tobacco pipes, pipe filters, pipe cleaners, pipe stands, pipe stems and pipe tools, all not made of precious metal or plated, moisture retaining containers for tobacco products, cigarette papers, cigarette rolling apparatus, cigarette sleeves, cigarette sleeve fillers, cigarette holders not made of precious metal or plated, tobacco pouches, lighter flints and firestones, cartons and pouches for cigars, cigarettes, pipes, snuff and tobacco, ashtrays not made of precious metal or plated, herbs for smoking, tobacco tins not made of precious metal or plated, containers for cigar and cigarette lighters, gas pocket cigarette lighters not made of precious metal or plated, gasoline cigarette lighters, snuff, snuff takers’ articles, namely, snuff boxes and snuff dispensers not made of precious metal or plated, chewing tobacco; parts and fittings for all the aforesaid goods, matches~~

Class 35: Retail store services, also via the Internet, also via teleshopping programs and online and/or catalog mail order services featuring bleaching preparations and other substances for laundry use, cleaning, polishing, scouring and abrasive preparations, soaps, perfumery, essential oils, cosmetics, hair lotions, dentifrices, sun screen preparations, pre-recorded CD Roms, permanent storage devices, audio and video recordings, audio and video tapes, cassette tape recorder, CD digital music player, glasses and sun glasses, encoded telephone cards, jewelry, precious stones, stainless steel watches, in the nature of horological and chronometric instruments, badges of honor made from precious metals, jewelry, namely, ornamental pins and key fobs, printed matter, photographs, instructional and teaching material except apparatus, paper, cardboard and goods made from these materials, stationery, typewriters and office requisites, except furniture, posters, picture postcards, collector cards and marks, decals, stickers in the nature of stationery goods, collecting booklets, collectable picture cards, letterhead paper, correspondence cards, flags of paper,


encoded telephone cards, leather and imitations of leather, and goods made of these materials, trunks and travelling bags, umbrellas, parasols, walking sticks, ropes, strings, nets, tents, awnings, tarpaulins, sails, sacks and bags, padding and stuffing materials, except of rubber or plastics, raw fibrous textile materials, raw textile fibres and their substitutes, goods made of cloth or fibres, unprocessed organic cotton, clothing, footwear, headgear, appliqués in the nature of patches, haberdashery, textile monograms, association and sporting badges or samples for textile ironing, sewing or adhesive bonding on textiles, fabric patches, ornamental pins not made of precious metals or clad, sporting badges, not made of precious metal, association ornamental pins as badges, not made of precious metals, games and playthings, gymnastic and sporting articles, playing cards, coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee, flour and preparations made from cereals, bread, pastry and confectionery, ices, honey, treacle, yeast, baking powder, salt, mustard, vinegar, sauces as condiments, spices, ice, sweets, beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices, coconut water, syrups and other preparations for making beverages, ~~tobacco~~, smoker's articles, namely, matches.

The goods/services in the other classes of the application are to remain unchanged.

Applicants assert that the amendment should be accepted as it narrows the identification of goods/services.

Opposer consents to this amendment as shown by counsel for Opposer's signature on this Amendment.


Respectfully submitted:


Karin Segall
LEASON ELLIS LLP
One Barker Avenue – Fifth Floor
White Plains, New York 10601
Tel: 914-821-9072

segall@LeasonEllis.com

Attorneys for Applicants

Date: July 19, 2017


Timothy D. Pecsénye
BLANK ROME LLP
One Logan Square, 130 N. 18th St.
Philadelphia, Pennsylvania 19103
Tel: 215-569-5619

pecsenye@blankrome.com

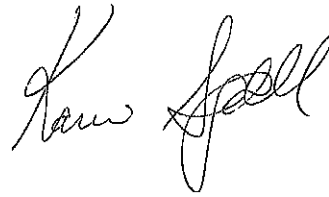
Attorneys for Opposer

Date: July 19, 2017

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing AMENDMENT TO APPLICATION was served upon counsel for Opposer this 20th day of July 2017, by email, addressed as follows:

Timothy Pescenye
pecsenye@blankrome.com

A handwritten signature in black ink, appearing to read "Karin Segall". The signature is written in a cursive style with a large initial "K" and "S".

Karin Segall