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

Proceeding	91232120
Party	Defendant manroland web systems GmbH
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Submission	Motion to Amend Application
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ReviMedia, Inc., Opposer, v. manroland web systems GmbH, Applicant.	Opposition No.: 91232120 Mark: PX and Design Application No.: 79/172036
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APPLICANT'S MOTION TO AMEND APPLICATION

Pursuant to 37 C.F.R. § 2.133 and § 514 of the Trademark Board Manual of Procedures (TBMP), Applicant manroland web systems GmbH (hereinafter "manroland" or "Applicant"), through its attorney of record, hereby respectfully moves the Board to amend the identification of goods and services in the Application No. 79/172036 for the trademark PX and Design, which is the subject of this Opposition proceeding.

Opposer ReviMedia, Inc. (hereinafter "ReviMedia" or "Opposer"), through its attorney of record, expressly consents to the granting of this motion to amend the subject application.

1. Applicant requests amendment(s) to the identification of goods in International Class 09 as follows, wherein the proposed new language is indicated by underlining and the proposed deleted language is indicated by strikethrough (*i.e.*, marked version):

International Class 09: Data processing equipment, computers; computer software for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; data processing apparatus and data processing equipment for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; blank storage apparatus for computer data, namely, blank digital storage media; software used for processing data for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; information technology and audiovisual equipment for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access, namely, computer networking hardware; ~~blank USB flash drives; blank compact discs, Blank DVDs, and digital recording media in the nature of DVD recording apparatus; blank electronic, machine-readable and optical data carriers;~~ data processing programs, software and software interfaces for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access, namely, industrial process control software; graphic input screens and graphic interfaces in the form of computer programs for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; computer screens and process computers; data processing equipment, electronic sensors and control and regulating software for use in printing machines and printing installations, for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; pressure measuring instruments for printing machines for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; ~~electronic apparatus in the nature of image processors for use in processing and editing images, lines, texts, and layouts for the purpose of for the computer-aided manufacture of printing plates for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; apparatus for recording, transmission or reproduction of images or information;~~ none of the foregoing goods include electrical power distribution and management hardware for computers, computer servers and other electrically powered devices.

Such that the identification of goods is amended to (*i.e.*, clean version):

International Class 09: Data processing equipment, computers; computer software for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; data processing apparatus and data processing equipment for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; blank storage apparatus for computer data, namely, blank digital storage media; software used for processing data for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; information technology and audiovisual equipment for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access, namely, computer networking hardware; data processing programs, software and software interfaces for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access, namely, industrial process control software; graphic input screens and graphic interfaces in the form of computer programs for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; computer screens and process computers; data processing equipment, electronic sensors and control and regulating software for use in printing machines and printing installations, for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; pressure measuring instruments for printing machines for production management and control of webfed, sheetfed and digital printing presses and printing plants as well as remote maintenance and remote access; none of the foregoing goods include electrical power distribution and management hardware for computers, computer servers and other electrically powered devices.

2. Applicant requests amendment(s) to the identification of services in International Class 35 as follows, wherein the proposed new language is indicated by underlining and the proposed deleted language is indicated by strikethrough (*i.e.*, marked version):

International Class 35: Business management regarding to production control and production monitoring of machines and industrial installations, in particular of installations for producing printed matter; all the foregoing for the printing and graphic industry.

Such that the identification of services is amended to (*i.e.*, clean version):

International Class 35: Business management regarding to production control and production monitoring of machines and industrial installations, in particular of installations for producing printed matter; all the foregoing for the printing and graphic industry.

3. Applicant requests amendment(s) to the identification of services in International Class 42 as follows, wherein the proposed new language is indicated by underlining and the proposed deleted language is indicated by strikethrough (*i.e.*, marked version):

International Class 42: Design and development of computer hardware and computer software for connecting computer networks engaged in pre-stage printer production processes and printing processes, for dispatch and administration of printer processes, and for integration of machine default systems for printing machines into open workflows for digitized print production, for use by publishing companies and print works companies; design of software applications for linking print works to print clients and print work suppliers via the internet and for handling print jobs, for use by publishing companies and print works companies; all the foregoing for the printing and graphic industry.

Such that the identification of services is amended to (*i.e.*, clean version):

International Class 42: Design and development of computer hardware and computer software for connecting computer networks engaged in pre-stage printer production processes and printing processes, for dispatch and administration of printer processes, and for integration of machine default systems for printing machines into open workflows for digitized print production, for use by publishing companies and print works companies; design of software applications for linking print works to print clients and print work suppliers via the internet and for handling print jobs, for use by publishing companies and print works companies; all the foregoing for the printing and graphic industry.

As grounds for and in support of this motion, Applicant states that the above proposed amendments to the identification of goods and services accurately reflects the goods and services, respectively, that Applicant offers and intends to offer in connection

with the trademark PX and Design, which is the subject of this Opposition proceeding. Furthermore, in compliance with 37 C.F.R. § 2.71(a), the proposed amendments serve to clarify and limit and in no way broaden the identification of goods and services in the subject opposed application.

WHEREFORE, Applicant respectfully requests the Board to amend the identification of goods and services in the subject opposed application in the manner indicated hereinabove.

This the 8th day of October, 2017.

Respectfully submitted by:

s/Christopher C. Dremann/

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the date indicated below I caused a true and correct copy of the foregoing **APPLICANT'S MOTION TO AMEND APPLICATION** to be served on the Attorney for the Opposer by filing the same with the Trademark Trial and Appeal Board via the ESTTA electronic filing system and by transmitting a courtesy copy of the same by electronic delivery (E-Mail) to:

igerben@gerbenlawfirm.com

This the 8th day of October, 2017.

Certified by:

s/Christopher C. Dremann/

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