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Filing date: **09/05/2018**

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

Proceeding	91232407
Party	Plaintiff Capriza, Inc.
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Signature	/S. Erik Combs IV/
Date	09/05/2018
Attachments	Joint Motion for Amendment of Application and Contingent Withdrawal of Opposition.pdf(28515 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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Capriza, Inc.,	:	: <b>Opposition No. 91232407</b>
	:	
Opposer,	:	
	:	
v.	:	
	:	
Unitus Seed Partners LLC,	:	
	:	
Applicant.	:	

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**JOINT MOTION FOR AMENDMENT OF APPLICATION AND CONTINGENT  
CONSENTED WITHDRAWAL OF OPPOSITION**

Pursuant to an agreement entered into between Applicant Unitus Seed Partners LLC (“Applicant”) and Opposer Capriza, Inc. (“Opposer”) and Rules 2.133 and 2.106(c) of the Trademark Rules of Practice, the parties hereby jointly request the following relief from the Board:

**Applicant’s Requested Amendment with Consent of Opposer**

Applicant moves that the Board enter the following amendment to the services identifications in the referenced Classes in Application Serial No. 86/741,199, and Opposer hereby consents to this amendment:

*Class 35: Incubation services, namely, providing office space to start-up and existing businesses; business management advice; business analysis and business strategic planning services in multiple industry sectors; business development services, namely, providing support and advice for start-up and existing businesses of others; business support services, namely, business consulting to start-ups and existing businesses; special event planning for business purposes; **all of the foregoing limited to the field of financial services, business acceleration services, impact fund services, and investment fund services.***

*Class 41: Business education and training services, namely, developing and facilitating customized leadership and business development programs, providing business coaching services, and providing business education programs to start-up and existing businesses; all of the foregoing limited to the field of financial services, business acceleration services, impact fund services, and investment fund services.*

It is respectfully submitted that this amendment does not require republication of the applications because the amended identifications are limiting in nature and so in compliance with 37 CFR 2.71(a). In particular it narrows, rather than broadens, the scope of the application.

**Opposer's Contingent Withdrawal of Opposition with Consent of Applicant**

Provided that the Board first enters the above requested amendment in its entirety, Opposer withdraws Opposition No. 91232407 without prejudice, and Applicant hereby consents to Opposer's withdrawal.

Respectfully submitted,

Dated: 9/5/2018

/Victor N. King/  
Victor N. King  
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16409 SE 66th Street  
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**ATTORNEY FOR APPLICANT**

Dated: 9/5/2018

/S. Erik Combs IV/  
Christopher L. Graff  
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**ATTORNEYS FOR OPPOSER**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing JOINT MOTION FOR AMENDMENT OF APPLICATION AND CONTINGENT CONSENTED WITHDRAWAL OF OPPOSITION was served via email on September 5, 2018 on Opposer's counsel of record at the email address of record listed below:

Victor N. King  
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/S. Erik Combs IV/