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Filing date: **05/02/2018**

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

Proceeding	91232641
Party	Defendant Aidan Marus and NeatPocket, LLC DBA NeatPocket
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Submission	Motion to Amend Application
Filer's Name	Derek A. Simpson
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Signature	/Derek Simpson/
Date	05/02/2018
Attachments	2018_05_02 Motion to Amend Application.pdf(74441 bytes)

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

In the matter of Serial No.: 86/892,413
For the mark: NEATPOCKET
Application Filed: Jan. 31, 2016

The Neat Company, Inc.

Opposer,

vs.

Aidan Marus, NeatPocket, LLC

Applicants.

Stipulated Motion to Amend Application

Opposition No.: 91232641

Stipulated Motion to Amend Application

Applicants, Aidan Marus and NeatPocket, LLC, and Opposer, The Neat Company, Inc., have agreed to and have executed a co-existence agreement to resolve this Opposition. Pursuant to the agreement, Applicants hereby move, with the stipulation of Opposer's counsel, to amend the application so that the description of services in class 42 reads as follows:

Software as a service (SAAS) services, namely, hosting software for use by others for use in employee schedule management and creation, and staff communications, not for use with the organization, management, reading, scanning and filing of receipts, and not primarily for use with the organization, management, reading, scanning and filing of documents, except as related to the scheduling and managing of employees; Providing a secure electronic online system featuring technology which allows businesses, namely, hotels, restaurants, nightclubs and other hospitality venues the ability

to manage their operations, namely, employee scheduling and communication, not for use with the organization, management, reading, scanning and filing of receipts, and not primarily for use with the organization, management, reading, scanning and filing of documents, except as related to the scheduling and managing of employees; Providing a secured-access, members only website featuring technology that gives members the ability to make and manage staff work schedules, not for use with the organization, management, reading, scanning and filing of receipts, and not primarily for use with the organization, management, reading, scanning and filing of documents, except as related to the scheduling and managing of employees; providing temporary use of a web-based mobile software application for making and managing staff work schedules, not for use with the organization, management, reading, scanning and filing of receipts, and not primarily for use with the organization, management, reading, scanning and filing of documents, except as related to the scheduling and managing of employee.

SO STIPULATED AND AGREED:

Dated: May 2, 2018

/s/ Derek A. Simpson
Derek A. Simpson
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Counsel for Applicants,
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/s/ Jordan A. LaVine
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Counsel for Opposer, The Neat Company, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing document has been served on Opposer's counsel, Jordan A. LaVine, by forwarding the copy of the document on May 2, 2018, via email to:

jordan.lavine@flastergreenberg.com,
linda.ladzenski@flastergreenberg.com
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Date: May 2, 2018

 /s/ Derek A. Simpson
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