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Filing date: **01/26/2018**

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

Proceeding	91237910
Party	Defendant Gilles David
Correspondence Address	TRACY MARSHALL KELLER AND HECKMAN LLP 1001 G STREET, NW SUITE 500 WEST WASHINGTON, DC 20001 Email: trademark@khlaw.com
Submission	Other Motions/Papers
Filer's Name	Tracy Marshall
Filer's email	marshall@khlaw.com
Signature	/Tracy Marshall/
Date	01/26/2018
Attachments	Motion to Amend Application.pdf(81969 bytes)

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

IN THE MATTER OF APPLICATION

Mark: LA FUEL and Design
Applicant: Gilles David
Ser. No.: 87/438,065
Filed: May 5, 2017
Published in
the **Official Gazette**: September 26, 2017

L.A. GEAR, INC.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91237910
)	
Gilles David)	
)	
Applicant.)	
)	

MOTION ON CONSENT TO AMEND APPLICATION SERIAL NO. 87/438,065

Pursuant to C.F.R. §2.133 and TBMP §514, Applicant, Gilles David, hereby requests that United States Application Serial No. 87/438,065, presently the subject of the above-captioned matter pending before the Trademark Trial and Appeal Board, be amended by deleting the term “shoes” from the goods identified in International Class 25. The amended description of goods in International Class 25 should read as follows:

“Denim jeans; Hats; Jackets; Pants; Shirts; Sweaters; T-shirts; Vests”

Opposer has consented to the foregoing amendment, as confirmed by the signature of Opposer’s counsel below.

Further, the parties in the captioned opposition proceeding have agreed to resolve the opposition based on the foregoing amendment. As reflected by the signature of Opposer’s counsel below, Opposer hereby withdraws its opposition to the subject application without

prejudice, conditioned however, on the acceptance and entry of the foregoing amendment. As reflected by the signature of Applicant's counsel set forth below, Applicant consents to the withdrawal of the opposition.


Accordingly, Applicant and Opposer respectfully move that the subject application be amended as set forth above and that the opposition be dismissed without prejudice.

Respectfully submitted,

By: 
Anna Liau
L.A. Gear Inc.
844 Moraga Drive
Los Angeles, CA 90049
Tel: (310)889-3400

*Attorney for Opposer,
L.A. Gear, Inc.*

Date: January 25, 2018

By: 
Tracy P. Marshall
Keller and Heckman, LLP
1001 G Street NW, Suite 500 West
Washington DC 20001
Tel: (202) 434-4234

*Attorney for Applicant
Gilles David*

Date: January 25, 2018

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of January 2018, the foregoing **MOTION ON CONSENT TO AMEND APPLICATION SERIAL NO. 87/438,065** was served upon Opposer by delivering same to the following Attorney of Record for Opposer via electronic mail at aliau@aciint.com.



Tracy P. Marshall