

ESTTA Tracking number: **ESTTA914319**

Filing date: **08/08/2018**

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

Proceeding	91238563
Party	Defendant FREEREIN LLC
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Submission	Motion to Amend Application
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Signature	/DHW/
Date	08/08/2018
Attachments	APPLICANT_S MOTION TO AMEND WITH OPPOSER_S CONSENT - 15890577_1.pdf(207751 bytes)

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

In the Matter of Trademark Application Serial. No.: 87/126,154
For the Mark: Gorilla Head Design
Filed: August 3, 2016
Published: August 29, 2016

Amcor Industries, Inc. <p style="text-align: center;">Opposer,</p> <p style="text-align: center;">v.</p> Freerein LLC <p style="text-align: center;">Applicant.</p>	Opposition No. 91238563
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**APPLICANT’S MOTION TO AMEND APPLICATION WITH OPPOSER’S CONSENT
AND DISMISS OPPOSITION WITHOUT PREJUDICE**

The parties to the above-captioned proceeding have reached a settlement.

Pursuant to the settlement, and pursuant to 37 C.F.R. § 2.135 and TBMP § 602.1, Applicant, with Opposer’s written consent below, hereby moves the Trademark Trial and Appeal Board (the “Board”) to amend U.S. Trademark Application Serial. No. 87/126,154 to delete International Class 12 in its entirety.

WHEREFORE, the Applicant respectfully requests that the Board:

1. Delete International Class 12 in its entirety from U.S. Trademark Application Serial No. 87/126,154; and
2. Dismiss the above-captioned proceeding without prejudice pursuant to TBMP § 602.1.

[Signature page follows]

Dated: August 8, 2018

Respectfully Submitted:

WINTHROP & WEINSTINE, P.A.

____/DHW/_____

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Attorneys for Applicant Freerein LLC

Consented to by:

FISHBACH, PERLSTEIN, LIEBERMAN
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____/Michael P. Martin/_____

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Attorneys for Opposer Amcor Industries, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing APPLICANT'S MOTION TO AMEND APPLICATION WITH OPPOSER'S CONSENT was served on Opposer's Attorney of Record as set forth below, by electronic mail, on this the 8th day of August, 2018.

Michael P. Martin
mmartin@fpplaw.com

_____/DHW/_____
Draeke H. Weseman