


ESTTA Tracking number: **ESTTA907505**

Filing date: **07/05/2018**

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

Proceeding	91239242
Party	Defendant NakedBootz LLC
Correspondence Address	Jason H. Rosenblum Law Office of Jason H. Rosenblum, PLLC 3 Broad Street, Suite 320 Charleston, SC 29401 Email: jhr@jhrlegal.com, office@jhrlegal.com
Submission	Motion to Amend Application
Filer's Name	Jason Rosenblum
Filer's email	jhr@jhrlegal.com, office@jhrlegal.com
Signature	/Jason Rosenblum/
Date	07/05/2018
Attachments	238-001 Motion on Consent to Amend 5-July-2018.pdf(155271 bytes)

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

Naked Boot and Shoe Company, LLC)	
)	Opposition No.: 91239242
Opposer,)	
vs.)	App. Serial No: 87/540,517
)	
NakedBootz LLC,)	
)	Mark: 
Applicant.)	
_____)	

CONSENT MOTION TO AMEND APPLICATION

Pursuant to 37 C.F.R. § 2.133, Applicant NakedBootz LLC (“Applicant”) by and through its undersigned counsel and with the express consent of Opposer, Naked Boot and Shoe Company, LLC (“Opposer”), respectfully requests amendment of the filing basis of the above-referenced Application Serial No. 87/540,517 in International Class 25 from a filing basis under Section 1(a) use based to a filing basis under Section 1(b) intent to use.

Accordingly, attached is a verified statement of intent to use by the Applicant of Application Serial No. 87/540,517.

The undersigned counsel for Applicant has consulted with counsel for Opposer and is authorized thereby to represent that Opposer is in agreement with and has no objection to this motion.

Respectfully submitted this the 5th day of July 2018.

/Jason H. Rosenblum/
Jason H. Rosenblum
Law Office of Jason H. Rosenblum, PLLC
3 Broad Street, Suite 320
Charleston, SC 29403
Attorney for Applicant NakedBootz LLC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : NakedBootz LLC
APPLICATION : 87/540,517
MARK : NAKEDBOOTZ FEEL THE NOTHING WITH DESIGN


VERIFIED STATEMENT REQUIRED OF INTENT TO USE BY APPLICANT

I, Kurt Korkowski do hereby declare:

1. The signatory believes that the applicant is entitled to use the mark in commerce;
2. The applicant has a bona fide intention to use the mark in commerce on or in connection with the goods/services in the application and had a bona fide intention to use the mark in commerce as of the application filing date; To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive; and
3. To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

§2.20 DECLARATION

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.


(Signature)

Kurt Korkowski
(Print or Type Name and Position)

Co-Founder

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing
CONSENT MOTION TO AMEND APPLICATION has been served on Naked Boot and
Shoe Company, LLC by forwarding said copy on July 5, 2018, via email to:

Mallory L. Fisk
Summers Compton Wells LLC
8909 Ladue Road
St. Louis MO, 63124
mfisk@scw.law
msaputo@scw.law

Dated: July 5, 2018

/Jason Rosenblum/
Jason H. Rosenblum
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