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

Proceeding	91239743
Party	Defendant The Hatch Conspiracy
Correspondence Address	CHRISTOPHER J DAY LAW OFFICE OF CHRISTOPHER DAY 9977 NORTH 90TH STREET, SUITE 155 SCOTTSDALE, AZ 85258 UNITED STATES chris@daylawfirm.com 602-258-4440
Submission	Motion to Amend Application
Filer's Name	Christopher J. Day
Filer's email	chris@daylawfirm.com, mberchou@hselaw.com, kmarkert@hselaw.com
Signature	/Christopher J. Day/
Date	08/29/2018
Attachments	Motion to Amend Application.pdf(163203 bytes )

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

5<sup>TH</sup> & OCEAN CLOTHING, LLC,

OPPOSER,

V.

THE HATCH CONSPIRACY D/B/A FIVE OCEANS,

APPLICANT.

APPLICATION SERIAL NO.: 85/958,909

OPPOSITION NO.: 91239743

Applicant's Motion to Amend Application by Abandoning Class 25 with Prejudice

Pursuant to 37 C.F.R. §§ 2.135 and 2.133 and TBMP §§ 514 and 602.01, Applicant The Hatch Conspiracy d/b/a Five Oceans hereby respectfully moves the Board to amend opposed Application Serial No. 85/958,909 at issue in Opposition No. 91239743 to delete, in entirety, Class 25, with prejudice.

Opposer 5<sup>th</sup> & Ocean Clothing, LLC consents to this express partial abandonment and, on the condition of acceptance by the Board, intends to withdraw without prejudice Opposition No. 91239743, such withdrawal to be filed under separate cover.

WHEREFORE, Applicant requests that the Board amend opposed Application Serial No. 85/958,909 in the manner described above.

Respectfully submitted,

5<sup>th</sup> & Ocean Clothing, LLC



Michael J. Berchou, Esq.  
Katherine A. Markert, Esq.  
Harter Secrest & Emery LLP  
50 Fountain Plaza, Suite 1000  
Buffalo, NY 14202  
Tel.: 716-853-1616  
[mberchou@hselaw.com](mailto:mberchou@hselaw.com)  
[kmarkert@hselaw.com](mailto:kmarkert@hselaw.com)

*Attorneys for Opposer*

Dated: August 29, 2018

The Hatch Conspiracy d/b/a Five Oceans

/Christopher J. Day/

Christopher J. Day  
Day Law Firm  
9977 North 90<sup>th</sup> Street  
Suite 155  
Scottsdale, AZ 85258  
Tel: 602-258-4440  
[chris@daylawfirm.com](mailto:chris@daylawfirm.com)

*Attorneys for Applicant*

Dated: August 29, 2018

### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Applicant's Consented-To Motion to Amend Application by Abandoning Class 25 was sent via email to Counsel for Opposer, Michael J. Berchou, [mberchou@hselaw.com](mailto:mberchou@hselaw.com) and Katherine A. Markert, [kmarkert@hselaw.com](mailto:kmarkert@hselaw.com), Harter Secrest & Emery, 50 Fountain Plaza, Suite 1000, Buffalo, New York 14202, on August 29, 2018.

/Christopher J. Day/

Christopher J. Day