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

Proceeding	91239799
Party	Defendant Lotus and Lion, LLC
Correspondence Address	ERIK M PELTON ERIK M PELTON & ASSOCIATES PLLC PO BOX 100637 ARLINGTON, VA 22210 UNITED STATES Email: uspto@tm4smallbiz.com
Submission	Motion to Amend Application
Filer's Name	Erik M. Pelton
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Date	08/07/2018
Attachments	2018-08-07 912397999 Motion to Amend and Withdraw.pdf(115889 bytes)

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

EVERNOTE CORPORATION, Opposer, v. LOTUS AND LION, LLC, Applicant.	Opposition Nos. 91239799 and 91239800 Application Serial No. 87286764 Mark: **Paradesmith** Application Serial No. 87286761 Mark:

STIPULATED REQUEST TO AMEND THE APPLICATION AND TO DISMISS THE OPPOSITIONS WITH PREJUDICE UPON ACCEPTANCE OF AMENDMENT

Pursuant to an Agreement between the parties, and with Opposer's consent, Applicant hereby amends the description of services in Application Serial Nos. 87286761 and 87286764 as follows:

> Electronic storage of digital content including text, photographs, images, video, and audio, namely, a social media platform where users can create private and public data repositories for text, photographs, images, video, and audio, and excluding electronic storage of digital content in connection with note taking software, or software for creating or storing typed, handwritten, or imaged notes or clippings, *in International Class 042.*

Applicants submit that this amendment is proper and merely restricts the existing description of services. Therefore, the mark will not need to be republished in the Official Gazette.

The parties further agree that upon entry of the amendment requested herein, the Opposition Nos. 91239799 and 91239800 be dismissed *with prejudice.*

Respectfully submitted,

Lotus and Lion, LLC

By: _____

Erik M. Pelton
Erik M. Pelton & Associates, PLLC
P.O. Box 100637
Arlington, Virginia 22210

Attorney for Applicant

Dated: August 7, 2018

Evernote Corporation

By: _____

Matthew E. Connors, Esq.
Gesmer Updegrove LLP
40 Broad Street
Boston, Massachusetts 02109

Attorney for Opposer

Dated: August 7, 2018

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of STIPULATED REQUEST TO AMEND THE APPLICATION AND TO DISMISS THE OPPOSITIONS WITH PREJUDICE UPON ACCEPTANCE OF AMENDMENT has been served on the following by delivering said copy on August 7, 2018, via email, to counsel for Opposer at the following address:

Matthew E. Conner
Julia Belagorudsky
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By: _____
Erik M. Pelton, Esq.