

UNITED STATES PATENT AND TRADEMARK OFFICE
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September 20, 2019

Opposition No. 91239962 (parent case)

Opposition No. 91246073

Hulu, LLC

v.

Humu, Inc.

By the Trademark Trial and Appeal Board:

On September 6, 2019, Applicant filed the parties' joint motion to amend the involved applications, and stipulated proposed amendments to application Serial Nos. 87433012, 87433020, 87433022, and 87433016 which are the subject of the above-captioned consolidated proceedings. Said motion also includes Opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendments.

By the proposed amendment to Application No. 87433012, Applicant seeks to amend the identification of goods in International Class 9:¹

¹ In this order, proposed deletions are shown in strikethrough and proposed additions are shown in bold.

From: Downloadable software for surveying, tracking, gathering, monitoring, and analyzing employee feedback and human resources data to improve employee satisfaction, business operations, and business productivity; Downloadable audio files, multimedia files, audio material, and video material **featuring** information in the field of human resource development for the promotion of employee retention, career growth and increased productivity for employees and employers

To: Downloadable software for surveying, tracking, gathering, monitoring, and analyzing employee feedback and human resources data to improve employee satisfaction, business operations, and business productivity **through human resource management**; Downloadable audio files, multimedia files, audio material, and video material **containing primarily** information in the field of human resource development for the promotion of employee retention, career growth and increased productivity for employees and employers.

By the proposed amendment to Application No. 87433020, Applicant seeks to amend the identification of services in International Class 41:

From: Leadership development training in the field of human resources and personnel management; Business education and training services, namely, developing customized in-company leadership and employee development programs, providing managerial coaching services, and providing in-company keynote presentations to business executives and managers

To: Leadership development training in the field of human resources and personnel management **provided to businesses and business employees acting in their professional roles**; Business education and training services, namely, developing customized in-company leadership and employee development programs, providing managerial coaching services, and providing in-company keynote presentations to business executives and managers.

By the proposed amendment to Application No. 87433022, Applicant seeks to amend the identification of services in International Class 42:

From: Software as a service (SAAS) featuring software for use in gathering and analyzing human resources research and employee surveys; Software as a service (SAAS) featuring software for use in surveying, tracking, gathering, monitoring, and analyzing employee

feedback and human resources data to improve employee satisfaction, hiring practices, business operations, human resource management procedures, and business productivity; Computer monitoring services which tracks employee performance and productivity, benefits programs, human resource processes and transmission of reports and alerts for quality control purposes; Computer programming services for survey analysis and reporting

To: Software as a service (SAAS) featuring software for use in gathering and analyzing human resources research and employee surveys; Software as a service (SAAS) featuring software for use in surveying, tracking, gathering, monitoring, and analyzing employee feedback and human resources data to improve employee satisfaction, hiring practices, business operations, human resource management procedures, and business productivity **through human resource management**; Computer monitoring services which tracks employee performance and productivity, benefits programs, human resource processes and transmission of reports and alerts for quality control purposes; Computer programming services for survey analysis and reporting **where such surveys are administered to employees in connection with their professional roles.**

By the proposed amendment to Application No. 87433016, Applicant seeks to amend the identification of services in International Classes 35:

From: Employee survey services; Human resource services, namely, collecting, analyzing, reporting, and providing data and feedback from employees for purposes of improving employee performance, employee retention, and corporate culture; Human resources research and consultation services focusing on helping clients analyze, respond to, and make process improvements based on employee data and feedback; Preparation of reports relating to employee survey results for business purposes; Employment recruiting consultation; Employment counseling and recruiting

To: Employee survey services **relating primarily to human resource services**; Human resource services, namely, collecting, analyzing, reporting, and providing data and feedback from employees for purposes of improving employee performance, employee retention, and corporate culture; Human resources research and consultation services focusing on helping clients analyze, respond to, and make process improvements based on employee data and feedback; Preparation of reports relating to employee survey results for **human resource** business purposes;

Employment recruiting consultation; Employment counseling and recruiting.

The amendments are limiting in nature, as required by Trademark Rule 2.71(a). Because Opposer consents thereto, the amendments are approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Opposer's withdrawal having now been met, the opposition is dismissed with prejudice in accordance with the agreement between the parties.²

² The Board notes that the parties' motion does not amend the International Class 36 identification of services in application Serial No. 87433016.