

ESTTA Tracking number: **ESTTA909557**

Filing date: **07/16/2018**

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

Proceeding	91241728
Party	Defendant CNU Online Holdings, LLC
Correspondence Address	Philip R. Zender Squire Patton Boggs (US) LLP 275 Battery Street, Suite 2600 San Francisco, CA 94111 Email: trademark@squirepb.com
Submission	Other Motions/Papers
Filer's Name	Philip R. Zender
Filer's email	trademark@squirepb.com, sfr_dckt@squirepb.com, enova@squirepb.com
Signature	/Philip R. Zender/
Date	07/16/2018
Attachments	Opp No 91241728_ENOVA BUSINESS SERVICES_ 86652079_Consented request to amend app.pdf(192557 bytes)

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

In the Matter of Application Serial No. 86652079
Published in the Official Gazette of December 12, 2017
Mark: ENOVA BUSINESS SERVICES

DASSAULT SYSTÈMES,

Opposer,

v.

CNU ONLINE HOLDINGS, LLC,

Applicant.

Opposition No. 91241728

CONSENTED MOTION TO AMEND APPLICATION AND DISMISS OPPOSITION

Applicant, CNU Online Holdings, LLC (“Applicant”), hereby requests, with Opposer’s consent, that the identification of goods in opposed Application Serial No. 86652079 be amended as follows:

Application No. 86652079

ORIGINAL DESCRIPTION:

IC 042. US 100 101. G & S: Cloud computing featuring software for use in predictive analytics and enterprise decision management in the field of consumer credit lending; Providing temporary use of web-based software applications for predictive analytics and enterprise decision management services relating to the credit modeling and collections activities of others; Consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others, to further enterprise decision management in the field of consumer lending and collections; Design and development of computer software for use in enterprise decision management, predictive analytics, credit decisioning, credit modeling and collections; Data automation and

collection service using proprietary software to evaluate, analyze and collect consumer credit and financial data; Software as a service (SAAS) services featuring software in the field of consumer financial services and personal loans; Design and development of software for the automation of financial verification processes; Software as a service, namely, hosting software for use by others featuring credit decision modeling

CHANGES (NEW LANGUAGE IS **HIGHLIGHTED**):

IC 042. US 100 101. G & S: Cloud computing featuring software for use in predictive analytics and enterprise decision management in the field of consumer credit lending; Providing temporary use of web-based software applications for predictive analytics and enterprise decision management services relating to the credit modeling and collections activities of others; Consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others, to further enterprise decision management in the field of consumer lending and collections; Design and development of computer software for use in enterprise decision management, predictive analytics, credit decisioning, credit modeling and collections, **excluding software used primarily for product data management and product lifecycle management and optimizing the product design, development, and manufacturing processes**; Data automation and collection service using proprietary software to evaluate, analyze and collect consumer credit and financial data; Software as a service (SAAS) services featuring software in the field of consumer financial services and personal loans; Design and development of software for the automation of financial verification processes; Software as a service, namely, hosting software for use by others featuring credit decision modeling

FINAL DESCRIPTION:

IC 042. US 100 101. G & S: Cloud computing featuring software for use in predictive analytics and enterprise decision management in the field of consumer credit lending; Providing temporary use of web-based software applications for predictive analytics and enterprise decision management services relating to the credit modeling and collections activities of others; Consulting services in the field of design, selection, implementation and use of computer hardware and software systems for others, to further enterprise decision management in the field of consumer lending and collections; Design and development of computer software for use in enterprise decision management, predictive analytics, credit decisioning, credit modeling and collections, excluding software used primarily for product data management and product lifecycle management and optimizing the product design, development, and manufacturing processes; Data automation and collection service using proprietary software to evaluate, analyze and collect consumer credit and financial data; Software as a service (SAAS) services featuring software in the field of consumer financial services and personal loans; Design and development of software for the automation of financial verification processes; Software as a service, namely, hosting software for use by others featuring credit decision modeling

Applicant submits that this amendment does not require republication of the application, since the amendment of the description of goods narrows rather than broadens the scope of the application.

Opposer, Dassault Systèmes, hereby consents to this amendment and, upon acceptance and entry of this amendment, Opposer hereby withdraws its Opposition No. 91241728 to registration of the mark shown in Application Serial No. 86652079, and Applicant, hereby consents to such withdrawal.

Conclusion

The parties respectfully request that the Board grant this consented motion, amend the captioned application, and dismiss the opposition without prejudice.

Date: July 13, 2018


Respectfully Submitted,

By s/Philip R. Zender/
Philip R. Zender
SQUIRE PATTON BOGGS (US) LLP
275 Battery Street, Suite 2600
San Francisco, California 94111
Telephone: (415) 954-0358
Facsimile: (415) 393-9887

Attorney for Applicant
CNU ONLINE HOLDINGS, LLC

Date: July 13, 2018

Respectfully Submitted,

By 
Luna M. Samman
Diana S. Bae
ARENT FOX LLP
1717 K Street NW
Washington, D.C. 20006
Telephone: (202) 857-6000
Facsimile: (202) 857-6395

Attorneys for Opposer
DASSAULT SYSTEMES

PROOF OF SERVICE

I hereby certify that a true and complete copy of the foregoing **CONSENTED MOTION TO AMEND APPLICATION AND DISMISS OPPOSITION** has been served on Opposer DASSAULT SYSTÈMES by e-mail to Opposer as follows:

Luna M. Samman
Diana S. Bae
ARENT FOX LLP
1717 K Street NW
Washington, D.C. 20006
TMdocket@arentfox.com; Luna.Samman@arentfox.com; diana.bae@arentfox.com;
andrew.weinstein@arentfox.com

this 16th day of July 2018.

By: /Philip R. Zender/
Philip R. Zender