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

Proceeding	91243354
Party	Defendant Amicoat AS
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Submission	Motion to Amend Application
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Date	03/21/2019
Attachments	3-21-19 Consented Motion to Amend.pdf(158117 bytes )

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

In the matter of: Amicoat AS

Application No. 79/206,608

Mark: **AMICOAT**

PPG INDUSTRIES OHIO, INC.,	)	
	)	
Opposer	)	
	)	Opposition No. 91243354
v.	)	
	)	
AMICAOT AS,	)	
	)	
Applicant.	)	
	)	

**CONSENTED MOTION TO AMEND APPLICATION**

Pursuant to 37 C.F.R. § 2.133(a), TBMP § 514.02, Applicant Amicoat AS (“Applicant”) hereby moves to amend the identification of goods in Application Serial No. 79/206,608 as follows with the express consent of the oppose.

The proposed changes are shown below highlighted in yellow add limitations to the coverage as approved and published.

**Class 1:**

Antimicrobial peptides for preventing and inhibiting formation of biofilms and growth of microorganisms; antimicrobial peptides for use in coating agents and coating compositions, other than paint, namely, antibacterial, antifungal, algicidal and antiviral peptide included in formulations for application on surfaces; antimicrobial peptides for use in coating agents and

coating compositions, other than paint, namely, antibacterial, antifungal, algicidal and antiviral agents included in formulations for application on surfaces for preventing formation of biofilm; antimicrobial, antibacterial, algicidal, antifungal and antiviral preparations other than for medical and veterinary use, namely, antibacterial, antifungal, algicidal and antiviral peptides; organic and inorganic chemicals containing antimicrobial, antibacterial, antifungal, algicidal and antiviral properties other than medical or veterinary for preventing formation of biofilms, **all the foregoing for treating surfaces and impregnating into textiles, fibers, fabrics, woven and non-woven materials, furs, leathers, and padding and all the foregoing not being paint**

A clean copy of the proposed amendment is shown below:

**Class 1:**

Antimicrobial peptides for preventing and inhibiting formation of biofilms and growth of microorganisms; antimicrobial peptides for use in coating agents and coating compositions, other than paint, namely, antibacterial, antifungal, algicidal and antiviral peptide included in formulations for application on surfaces; antimicrobial peptides for use in coating agents and coating compositions, other than paint, namely, antibacterial, antifungal, algicidal and antiviral agents included in formulations for application on surfaces for preventing formation of biofilm; antimicrobial, antibacterial, algicidal, antifungal and antiviral preparations other than for medical and veterinary use, namely, antibacterial, antifungal, algicidal and antiviral peptides; organic and inorganic chemicals containing antimicrobial, antibacterial, antifungal, algicidal and antiviral properties other than medical or veterinary for preventing formation of biofilms, all the foregoing for treating surfaces and impregnating into textiles, fibers, fabrics, woven and non-woven materials, furs, leathers, and padding and all the foregoing not being paint

**Class 2** is to be DELETED in its entirety.

**Class 5** is to be amended to read:

Antibacterial preparations for medical purposes, antiviral preparations, algicidal preparations, antifungal preparations, fungicides, germicides, herbicides, insecticides, larvae exterminating preparations, parasiticides, sterilising preparations, vermin destroying preparations, acaricides; contact lens cleaning preparations, disinfectants for hygiene purposes, medical dressings, surgical dressings; medical plasters, dressings, adhesive bandages, and sanitary napkins coated with antimicrobial, antibacterial, antifungal, and antiviral surface coatings, ~~(excluding paint)~~ and **all the foregoing not being paint.**

A clean copy of the proposed amendment Class 5 will read:

Antibacterial preparations for medical purposes, antiviral preparations, algicidal preparations, antifungal preparations, fungicides, germicides, herbicides, insecticides, larvae exterminating preparations, parasiticides, sterilising preparations, vermin destroying preparations, acaricides; contact lens cleaning preparations, disinfectants for hygiene purposes, medical dressings, surgical dressings; medical plasters, dressings, adhesive bandages, and sanitary napkins coated with antimicrobial, antibacterial, antifungal, and antiviral surface coatings, and all the foregoing not being paint.

**All other classes remain unchanged**

Opposer PPG Industries Ohio, Inc. hereby consents to this amendment.

Respectfully submitted,

HAUPTMAN HAM, LLP  
Attorney for Applicant

LAW OFFICES OF LADAS & PARRY LLP  
Attorney for Opposer

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Dated: March 21, 2019

Dated: March 21, 2019

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **CONSENTED MOTION TO AMEND APPLICATION** was served by e-mail to the following person(s):

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Dated: March 21, 2019

/jhg/  
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Jeffrey H. Greger