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

Proceeding	91243864
Party	Defendant CKL Holdings N.V.
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Submission	Motion to Amend Application
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

SUYEN CORPORATION, Opposer, v. CKL HOLDINGS N.V., Applicant.
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Opposition No. 91/243,864

 Mark: BENCH
 Serial No.: 87/456,023
 Application Date: May 18, 2017
 Publication Date: April 3, 2018

**APPLICANT’S CONSENTED MOTION
TO AMEND ITS APPLICATION**

Pursuant to Trademark Rule 2.133 of the Rules of Practice in Trademark Cases, 37 C.F.R. § 2.133, CKL HOLDINGS N.V. (“Applicant”) hereby moves the Trademark Trial and Appeal Board (the “Board”) to permit Applicant to amend and more narrowly define the Classes 16, 26 and 38 identification of goods and services in Application Serial No. 87/456,023 (the “Application”). In particular, Applicant requests that the goods and services be limited in the following manner:

CLASS 16 AMENDMENT	
RED-LINED OR TRACKED TEXT DESCRIPTION	Paper; cardboard; printed publications and printed matter, namely, printed certificates, booklets, coupons, lectures, leaflets, paper signs, manuals, curricula, newsletters, informational cards and brochures in the fields of art, music and artistic performances, entertainment, fashion, sports , culture, general human interest, film production, languages, science and technology, law; Inking Ribbons for computer printers; bookbinding materials; books in the field of art, music and artistic performances, entertainment, fashion, sports , culture, general human interest, film production, languages, science and technology, law; adhesives for stationery or household purposes; artists' paint brushes; music sheets; printed

	<p>music scores on sheets; periodical magazines in the field of art, music and artistic performances, entertainment, fashion, sports, culture, general human interest, film production, languages, science and technology, law; photographs; stationery and educational supplies, namely, blank note books and school supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors, paper clips, pencil sharpeners, writing grips, glue for stationery or household use and book marks; typewriters; printed instructional and teaching material, except apparatus, namely, in the field of art, music and artistic performances, entertainment, fashion, sports, culture, general human interest, film production, languages, science and technology, law; plastic materials, namely, bags, bubble packs and films for packaging; printing blocks; all of the foregoing not relating to fashion, clothing, textiles, cosmetics, personal care, leather goods, footwear, luggage, sporting goods, souvenir items and/or gift sets or the manufacture, distribution, advertising, promotion or sale thereof</p>
<p>FINAL DESCRIPTION</p>	<p>Paper; cardboard; printed publications and printed matter, namely, printed certificates, booklets, coupons, lectures, leaflets, paper signs, manuals, curricula, newsletters, informational cards and brochures in the fields of art, music and artistic performances, entertainment, culture, general human interest, film production, languages, science and technology, law; Inking Ribbons for computer printers; bookbinding materials; books in the field of art, music and artistic performances, entertainment, culture, general human interest, film production, languages, science and technology, law; adhesives for stationery or household purposes; artists' paint brushes; music sheets; printed music scores on sheets; periodical magazines in the field of art, music and artistic performances, entertainment, culture, general human interest, film production, languages, science and technology, law; photographs; stationery and educational supplies, namely, blank note books and school supply kits containing various combinations of selected school supplies, namely, writing instruments, pens, pencils, mechanical pencils, erasers, markers, crayons, highlighter pens, folders, notebooks, paper, protractors, paper clips, pencil sharpeners, writing grips, glue for</p>

	stationery or household use and book marks; typewriters; printed instructional and teaching material, except apparatus, namely, in the field of art, music and artistic performances, entertainment, culture, general human interest, film production, languages, science and technology, law; plastic materials, namely, bubble packs and films for packaging; printing blocks; all of the foregoing not relating to fashion, clothing, textiles, cosmetics, personal care, leather goods, footwear, luggage, sporting goods, souvenir items and/or gift sets or the manufacture, distribution, advertising, promotion or sale thereof
CLASS 26 AMENDMENT	
RED-LINED OR TRACKED TEXT DESCRIPTION	Lace; Embroidery; ribbons; braids; buttons; hooks and eyes; pins, namely, sewing pins, hat pins, curling pins, safety pins, bobby pins, marking pins, ornamental novelty pins; needles; artificial flowers not relating to fashion, clothing, textiles, cosmetics, personal care, leather goods, footwear, luggage, sporting goods, souvenir items and/or gift sets or the manufacture, distribution, advertising, promotion or sale thereof
FINAL DESCRIPTION	Artificial flowers not relating to fashion, clothing, textiles, cosmetics, personal care, leather goods, footwear, luggage, sporting goods, souvenir items and/or gift sets or the manufacture, distribution, advertising, promotion or sale thereof
CLASS 38 AMENDMENT	
RED-LINED OR TRACKED TEXT DESCRIPTION	Telecommunication services, namely, telecommunication access services, digital network telecommunications services, transmission of webcasts and podcasts, providing electronic message alerts via the internet, personal communication services and, providing multiple-user access to a global computer network, transmission of voice, data, graphics, images, audio and video by means of telecommunications networks, wireless communication networks, and the Internet; communication services for the electronic transmission of voices; electronic transmission of data; electronic transmission of images, photographs, graphic images and illustrations over a global computer network; electronic transmission of data, audio, video and multimedia files; simulcasting broadcast television over global communication networks, the Internet and wireless networks; provision of telecommunication access to video and audio content provided via an online video-on-

	demand service; satellite communication services; telecommunications gateway services; all of the foregoing not relating to fashion, clothing, textiles, cosmetics, personal care, leather goods, footwear, luggage, sporting goods, souvenir items and/or gift sets or the manufacture, distribution, advertising, promotion or sale thereof
FINAL DESCRIPTION	Telecommunication services, namely, telecommunication access services, digital network telecommunications services, transmission of webcasts and podcasts, providing electronic message alerts via the internet, personal communication services and, providing multiple-user access to a global computer network, transmission of voice, data, graphics, images, audio and video by means of telecommunications networks, wireless communication networks, and the Internet; communication services for the electronic transmission of voices; electronic transmission of data; electronic transmission of images, photographs, graphic images and illustrations over a global computer network; electronic transmission of data, audio, video and multimedia files; simulcasting broadcast television over global communication networks, the Internet and wireless networks; provision of telecommunication access to video and audio content provided via an online video-on-demand service; satellite communication services; telecommunications gateway services; all of the foregoing not relating to fashion, clothing, textiles, cosmetics, personal care, leather goods, footwear, luggage, sporting goods, souvenir items and/or gift sets or the manufacture, distribution, advertising, promotion or sale thereof

In support of its Motion, Applicant states as follows:

1. The amendment is pursuant to an agreement entered between Applicant and the Opposer.
2. The amendment is in conformity with the Trademark Rules, as it clarifies and limits the identification of goods rather than broadens it.
3. Applicant has given Opposer fair notice of the amendment by filing this Motion well prior to the commencement of the trial period. As such, Opposer will not be prejudiced should the

Board grant Applicant's Motion.

Based on the foregoing, Applicant respectfully requests that the Board grant Applicant's present motion under 37 C.F.R. 2.133 and amend the Application accordingly.

Respectfully submitted,

Dated: New York, New York
May 22, 2019

Morton & Associates LLP



By: _____

Jonathan G. Morton
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New York, NY 10013
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jm@moas.com

Dated: 5/20/2019

Consented to by:

Suyen Corporation



By: _____

Lloyd S. Mann
Attorney for Opposer
15233 Ventura Blvd., Suite 714
Sherman Oaks, CA 91403
Tel: (818) 789-0510
lmann@mannzarpas.com

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing APPLICANT'S
CONSENTED MOTION TO AMEND ITS APPLICATION has been served on Opposer's
Attorney of Record by e-mail at the following address:

Lloyd S Mann, Esq.
lmann@mannzarpas.com

Dated: New York, New York
May 22, 2019

A handwritten signature in black ink, appearing to read 'Jonathan G. Morton', written over a horizontal line.

By: _____
Jonathan G. Morton