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

Proceeding	91244022
Party	Plaintiff KLARA GmbH
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Attachments	Clarabridge KLARA Settlement Stip - Fully Executed.pdf(677381 bytes)

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

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KLARA GmbH,	:	
Opposer,	:	Opposition No.: 91244022
v.	:	
Clarabridge, Inc.,	:	
Applicant,	:	
-----X	:	

**COMBINED STIPULATED REQUEST FOR AMENDMENT OF APPLICATION
AND CONDITIONAL MOTION FOR THE WITHDRAWAL OF OPPOSITION AND
STIPULATED MOTION TO SUSPEND OPPOSITION PROCEEDING**

I. Stipulated Request for Amendment

Pursuant to 37 C.F.R. 2.133 (a), Opposer hereby files this Stipulated Request for Amendment of Application Ser. No. 87/518,024, with the consent of Applicant pursuant to the Settlement Agreement entered into between the parties in this matter. Opposer hereby requests the identification of services in Classes 35 and 42 be amended as follows:

CLARA, Application Ser. No. 87/518,024 – Class 35 - “Data processing services, namely, data input in connection with the creation, modification, updating, collection, maintenance, analysis, reporting and transfer of online single- and multi-page surveys, questionnaires and other data collection formats utilizing a website and proprietary non-downloadable on-line software, all of the foregoing excluding providing medical or healthcare services .”

Class 42 - "Installation and maintenance of computer software for use in the field of customer experience management, namely computer software allowing commercial and government entities to perform text and content mining and utilization and organization of unstructured data and intelligence and taking responsive action for the purpose of customer experience management; providing software as a service (SaaS) for use in the field of customer experience management, namely, providing online, non-downloadable software for use in allowing commercial and government entities to perform text and content mining and utilization and organization of unstructured data and intelligence and taking responsive action for the purpose of customer experience management; providing temporary use of non-downloadable computer software for commercial and government entities in the form of an intelligent agent which uses Computational Linguistics (CL), Natural Language Processing (NLP), Machine Learning (ML), Information Retrieval (IR) and Statistical Methods for the purpose of understanding general human queries and formulating timely, accurate and personalized responses to provide asynchronous, data-driven, personalized answers to questions for the purpose of customer experience management, **all of the foregoing excluding providing medical or healthcare services.**"

The foregoing Amendment proposes to more narrowly define the identification of services in Classes 35 and 42 in this application. The Amendment is being filed pursuant to a Settlement Agreement with Applicant. The amendment does not affect the substance of the Applicant's mark and more narrowly defines the scope of the services covered by the application. Therefore, it is submitted the amendment can be entered without republication.

II. Stipulated Motion to Suspend the Opposition Proceeding

The parties respectfully request that the opposition proceeding be suspended so that the Board and Examiner can evaluate the proposed amendment to the application.

III. Stipulated Conditional Motion for Withdrawal

Petitioner requests that the Notice of Opposition that it filed in connection with Application Ser. No. 87/518,024 against CLARA be withdrawn conditioned upon the Trademark Trial and Appeal Board's and/or Examiner's acceptance of the Request to Amend the Identification of Services in said application.

KLARA GmbH and Clarabridge, Inc. stipulate that the opposition proceeding shall be dismissed without prejudice upon the Board's acceptance of the Request to Amend the Identification of Services in Application Ser. No. 87/518,024.

The undersigned consented to all of the foregoing:



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Dated: 12/17/18



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