

ESTTA Tracking number: **ESTTA933535**

Filing date: **11/07/2018**

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

Proceeding	91244392
Party	Plaintiff Wolf Appliance, Inc.
Correspondence Address	AJ SCHUMACHER FOLEY & LARDNER LLP 321 NORTH CLARK STREET SUITE 2800 CHICAGO, IL 60654 UNITED STATES ipdocketing@foley.com, tschulz@foley.com, aschumacher@foley.com 312-832-5196
Submission	Other Motions/Papers
Filer's Name	AJ SCHUMACHER
Filer's email	ipdocketing@foley.com, tschulz@foley.com, aschumacher@foley.com
Signature	/AJ Schumacher/
Date	11/07/2018
Attachments	Stipulated Motion. WOLF GRIZZLY. Executed.pdf(91276 bytes)

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

In the Matter of App. Serial No.: 87/685,261
Mark: WOLF GRIZZLY
Published: April 3, 2018

Wolf Appliance, Inc.,)	
Opposer,)	
)	
v.)	Opposition No. 91244392
)	
Wolf and Timber Inc.,)	
Applicant.)	

**JOINT MOTION TO AMEND APPLICATION AND
SUSPEND PROCEEDINGS AND CONDITIONAL STIPULATED DISMISSAL**

Pursuant to 37 C.F.R. § 2.133 and TBMP § 514 et seq., Applicant, Wolf and Timber Inc., and Opposer, Wolf Appliance, Inc., (the “Parties”) by and through their respective attorneys hereby jointly submit this Joint Motion to Amend Application and Suspend Proceedings and Conditional Stipulated Dismissal (the “Joint Motion and Conditional Dismissal”). The Parties jointly request that the Board suspend the opposition while considering the amendment to Application Serial No. 87/685261.

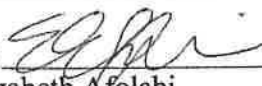
On September 26, 2018, Applicant filed with the USPTO a post-publication request to amend the identification of goods in Application Serial No. 87/685261 to delete the term “grills” and substitute this language with a narrower description that reads: “portable fire pit cooking grids for outdoor recreational use.” Wolf Appliance, Inc. hereby consents to the entry of the requested amendment to the goods.

Once again, the Parties request that the Board suspend the opposition proceeding while the amendment is being considered. Once the amendment is approved and entered, the Parties jointly stipulate to the dismissal of the opposition.

Respectfully submitted,

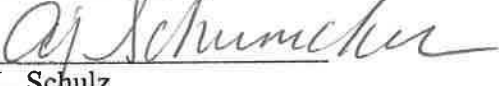
Dated this 2 day of November, 2018.

Bereskin & Parr LLP

By: 
Elizabeth Afolabi
40 King Street West 40th Floor
Toronto, ON M5H3Y2
Canada

Counsel for Applicant

Foley & Lardner LLP

By: 
Tricia L. Schulz
Andrew J. Schumacher
150 E. Gilman St, Suite 5000
Madison, WI 53703

Counsel for Opposer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing JOINT MOTION TO AMEND APPLICATION AND SUSPEND PROCEEDINGS AND CONDITIONAL STIPULATED DISMISSAL was forwarded by e-mail to Registrant's counsel of record, James W. Hinton of Bereskin & Parr LLP, along with other Bereskin & Parr LLP attorneys, at jhinton@bereskinparr.com, krichardson@bereskinparr.com, eafolabi@bereskinparr.com, and lafolabi@bereskinparr.com.

Dated this 7 day of November , 2018.

/AJ Schumacher/
AJ Schumacher