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

Proceeding	91247656
Party	Defendant MobileOffer, Inc.
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Submission	Other Motions/Submissions
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Date	06/15/2021
Attachments	Consented Motion to Amend Identification of Goods.pdf(63304 bytes)

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

TAVISTOCK FREEBIRDS, LLC,

Opposer,

v.

MOBILEOFFER, INC.

Applicant.

Opposition No. 91247656

Serial No. 87121817

**CONSENTED MOTION TO AMEND
IDENTIFICATION OF GOODS**

Pursuant to a settlement agreement between the parties, Applicant, MobileOffer, Inc. (“Applicant”), by its attorneys, hereby moves, with the consent of Opposer Tavistock Freebirds, LLC, to amend the identification of goods for Application Serial No. 87121817 as follows:

~~Interactive computer application software and downloadable software in the nature of mobile applications for connecting drinking establishments, namely, bars, cocktail lounges, and wine bars with individuals and groups utilizing mobile phone based automobile transportation service providers; Interactive computer application software and downloadable software in the nature of mobile applications for providing information in the field of bar and entertainment services using electronic message alerts featuring leads, optimal matches and suggested discounts, deals, special offers, coupons and reimbursements for users of mobile phone based automobile transportation service providers; Interactive computer application software and downloadable software in the nature of mobile applications that enable users to communicate with bar and entertainment service providers~~ establishments to reimburse customers expenses on mobile phone-based for automobile transportation expenses services that are used to travel to the establishment

The final identification of goods as proposed by these amendments would read as follows:

Interactive computer application software and downloadable software in the nature of mobile applications that enable bar and entertainment establishments to reimburse customer expenses on mobile phone-based automobile transportation services that are used to travel to the establishment

The proposed amendment of Application Serial No. 87121817 is governed by Trademark Rule 2.133, 37 C.F.R. § 2.133(a), which relevantly provides that:

An application subject to an opposition may not be amended in substance nor may a registration subject to a cancellation be amended or disclaimed in part, except with the consent of the other party or parties and the approval of the Trademark Trial and Appeal Board, or upon motion granted by the Board.

Applicant believes that these proposed amendments clarify and limit the identification of goods for Application Serial No. 87121817, without broadening, and respectfully requests that the Board approve these consented amendments.¹

Dated: June 15, 2021

Respectfully Submitted,

/Benjamin B. Lieb/

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ATTORNEYS FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing document has been served on Tavistock Freebirds, LLC by forwarding said copy on June 15, 2021 via email to Lori T. Milvain at lmilvain@lseblaw.com.

/Benjamin B. Lieb/

¹ Applicant has not agreed to accept judgment against it as to any deleted goods.