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

Proceeding	91248864
Party	Defendant Grundig Multimedia AG
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Attachments	Consent Motion 02 16 2021.pdf(148489 bytes)

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

Ovation Ultimate Audio, LLC d/b/a]	
Ovation And Ovation Audio Video]	
]	Opposition No.: 91248864
Opposer,]	Application No.: 79157284
]	Mark: OVATION
v.]	Filed: October 16, 2014
]	Published for Opposition: May 28, 2019
Grundig Multimedia AG]	
]	
Applicant.]	
]	

**OPPOSER’S AND APPLICANT’S JOINT RESPONSE TO THE TTAB DECISION
REJECTING THE PARTIES’ CONSENT MOTION TO AMEND APPLICANT’S
APPLICATION**

As suggested in the January 19, 2021 Order, the Parties hereby propose to amend the identification of goods for Application No. 79157284 by adding the following language appearing in bold and underlined text:

From:

Consumer electronic products, namely, digital audio music players, MP3 players, MP4 players, CD players, DVD players, media players, audio disc players, video disc players, flat panel display screens, graphic equalizers, headphones, loud speakers, phonograph record players, audio-visual receivers, stereo tuners, television sets, and remote controls for radios, televisions, and stereos; consumer electronic products, namely, loudspeakers, front loudspeakers, rear loudspeakers, center loudspeakers and combined subwoofers and loudspeakers; consumer electronic products, namely, HiFi sets comprised of amplifiers, CD players, and liquid crystal displays; wireless television and magnetic tape appliances, namely, radios, television sets, audio and video tape recorders, and cassette recorders;

structural parts for digital audio music players, MP3 players, MP4 players, CD players, DVD players, digital media players, audio disc players, video disc players, flat panel display screens, graphic equalizers, headphones, loud speakers, phonograph record players, audio-visual receivers, and remote controls for radios, televisions, stereos, stereo tuners, and television sets; all of the aforementioned goods sold at specialty home entertainment stores and on the internet

To:

Consumer electronic products, namely, digital audio music players, MP3 players, MP4 players, CD players, DVD players, media players, audio disc players, video disc players, flat panel display screens, graphic equalizers, headphones, loud speakers, phonograph record players, audio-visual receivers, stereo tuners, television sets, and remote controls for radios, televisions, and stereos; consumer electronic products, namely, loudspeakers, front loudspeakers, rear loudspeakers, center loudspeakers and combined subwoofers and loudspeakers; consumer electronic products, namely, HiFi sets comprised of amplifiers, CD players, and liquid crystal displays; wireless television and magnetic tape appliances, namely, radios, television sets, audio and video tape recorders, and cassette recorders; structural parts for digital audio music players, MP3 players, MP4 players, CD players, DVD players, digital media players, audio disc players, video disc players, flat panel display screens, graphic equalizers, headphones, loud speakers, phonograph record players, audio-visual receivers, and remote controls for radios, televisions, stereos, stereo tuners, and television sets; all of the aforementioned goods sold at specialty home entertainment stores and on the internet; **and all of the foregoing goods not sold in the stores of Ovation Ultimate Audio LLC or its successors**

Applicant respectfully requests, with Opposer's consent, that the Board accept the above amendment to the identification of goods in the subject application. The above amendment limits and clarifies the identification of goods pursuant to an agreement between the parties. Accordingly, the amendment is permissible under 37 C.F.R. § 2.71(a).

Opposer has agreed to the amendment requested herein, as agreed to on February 16, 2021 and as confirmed by the signature of Opposer's counsel below.

Respectfully submitted,

Grundig Multimedia AG

Dated: February 16, 2021

BY: /todd a denys/

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Ovation Ultimate Audio, LLC d/b/a
Ovation And Ovation Audio Video

Dated: February 16, 2021

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CERTIFICATE OF FILING

I hereby certify that this Opposer's and Applicant's Joint Response to the TTAB Decision Rejecting the Parties' Consent Motion to Amend Applicant's Application is being filed with the United States Patent and Trademark Office via the Trademark Trial and Appeal Board's Electronic System for Trademark Trials and Appeals [ESTTA] on-line filing process.

02/16/2021
(Date of Deposit)

/todd a denys/
(Signature)

02/16/2021
(Date of Signature)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by Email on this date.

Dated: February 16, 2021

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