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

|                        |   |
|------------------------|---|
| Proceeding             | 91249099  |
| Party                  | Plaintiff<br>Redmond, Incorporated  |
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| Submission             | Other Motions/Submissions   |
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| Signature              | /Gregory M. Hess/   |
| Date                   | 06/11/2021  |
| Attachments            | Stipulated Motion to Amend Application and Dismiss Opposition 6-11-2021.pdf(86503 bytes )   |

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

In the matter of Application Serial No. 88110709 (REDMINT)

REDMOND, INCORPORATED,

Opposer,

v.

REDMINT, LLC,

Applicant.

Opposition No. 91249099

**STIPULATED MOTION TO AMEND  
TRADEMARK APPLICATION AND  
DISMISS OPPOSITION PROCEEDING**

**I. STIPULATED MOTION TO AMEND TRADEMARK APPLICATION**

Applicant, by counsel, moves the Board to amend the description of goods for U.S. Trademark Application Serial No. 88110709 (the “Application”). On June 26, 2019, the present opposition proceeding regarding the Application was instituted by Opposer with the United States Trademark Trial and Appeal Board (the “Board”). Since the institution of this proceeding, Applicant and Opposer have engaged in successful settlement negotiations.

Effective May 25, 2021, Applicant and Opposer entered into a Settlement and Co-Existence Agreement, wherein Applicant agreed to amend the description of goods in International Class 5 as follows: “Beverages containing herbs for use as a nutritional supplement *by humans*.” (Changes are in italics.) Opposer agreed to stipulate and consent to the amendment.

Applicant therefore respectfully requests that the description of goods in International Class 5 in the Application be amended to read: “Beverages containing herbs for use as a nutritional supplement *by humans*.” Applicant respectfully submits that the proposed amendment complies

with all applicable rules and statutory provisions, including 37 C.F.R. § 2.71. Opposer hereby stipulates and consents to the requested amendment of the Application.

**II. STIPULATED MOTION TO DISMISS OPPOSITION PROCEEDING**

Upon entry of the amendment to the description of goods in the Application by the United States Patent and Trademark Office, Applicant and Opposer hereby consent to and move the Board for the dismissal of this opposition proceeding without prejudice.

WHEREFORE, Applicant and Opposer respectfully request that the Board grant this stipulated motion to amend the description of goods in International Class 5 in the Application and then to dismiss this opposition proceeding without prejudice.

Respectfully submitted,

By: /s/Thomas A. Harvey

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**CERTIFICATE OF SERVICE**

I certify that, on June 11, 2021, a true and correct copy of the foregoing **STIPULATED MOTION TO AMEND TRADEMARK APPLICATION AND DISMISS OPPOSITION PROCEEDING** was served via email on the following:

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/s/ Gregory M. Hess \_\_\_\_\_