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

Proceeding no.	91252817
Party	Defendant John Zox
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Date	08/31/2022
Attachments	2022.08.31 Stipulated Amendment and Withdrawal of Proceedings FINAL (002).pdf(211333 bytes )

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<p>House of Kuipers, LLC <i>et al.</i>,</p> <p style="text-align: center;">Opposer,</p> <p>v.</p> <p>John Zox,</p> <p style="text-align: center;">Applicant.</p>	<p>Trademark: ZOX (Standard Character Word Mark)</p> <p>Application Serial No.: 88/228,839</p> <p>Opposition No.: 91252817 CONSOLIDATED (PARENT)</p>
<p>Zox, LLC,</p> <p style="text-align: center;">Petitioner,</p> <p>v.</p> <p>John Zox, Daniel Zox and Andrew Zox, Individuals,</p> <p style="text-align: center;">Registrants.</p>	<p>Trademark: ZOX (Standard Character Word Mark)</p> <p>Registration No. 5,268,843</p> <p>Cancellation No.: 92074323 CONSOLIDATED (CHILD OF 91252817)</p>
<p>John Zox,</p> <p style="text-align: center;">Opposer,</p> <p>v.</p> <p>Zox LLC,</p> <p style="text-align: center;">Applicant.</p>	<p>Trademark: ZOXLIST (Standard Character Word Mark)</p> <p>Application No.: 88/582,432</p> <p>Opposition No.: 91265309 CONSOLIDATED (CHILD OF 91252817)</p>
<p>John Zox,</p> <p style="text-align: center;">Opposer,</p> <p>v.</p> <p>Zox LLC,</p> <p style="text-align: center;">Applicant.</p>	<p>Trademark:</p> <p style="text-align: center;"></p> <p>Application No.: 88/829,957</p> <p>Opposition No.: 91265525 CONSOLIDATED (CHILD OF 91252817)</p>

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**STIPULATED AMENDMENT OF REGISTRATION  
AND WITHDRAWAL OF PROCEEDINGS WITH PREJUDICE**

In response to the Board's Order issued on August 19, 2022 ("Order"), House of Kuipers LLC and Zox LLC on the one hand, and John Zox, Andrew Zox and Daniel Zox on the other, (collectively "Parties") provide this Stipulated Amendment of Registration and Withdrawal of Proceedings with Prejudice. The Parties have reached a settlement regarding all claims and counterclaims in above-captioned proceedings set forth in a Term Sheet that was filed under-seal by the District Court.

As a condition for settlement, the Parties agreed that John Zox would expressly abandon U.S. Application Serial No. 88/228,839. Concurrently with this filing, the Parties have filed an Express Abandonment for the '839 Application.

Per the Order, Registrants Daniel Zox, John Zox and Andrew Zox, have used the ESTTA form order in Cancellation No. 92074323 requesting to amend the identification of goods and services in Registration No. 5,268,843 for ZOX, as follows:

IC 009. Prerecorded video cassette tapes, audio and video discs in the nature of CDs and DVDs and digital files, motion picture and documentary film, all featuring live action, computer generated, animated cartoons and musical entertainment and educational subject matter in the field of literature, science, history, art, government, engineering, philosophy, fashion, mathematics, economics, and zoology; ~~film and video equipment, namely still, motion picture film and video cameras, videocassette recorders, videocassette players, digital video or audio players, and film and video editing machines; computer software for film and video editing; eyeglasses.~~

IC 041. Production, development and distribution of motion picture films, television programs, documentary films, music videos, virtual and augmented reality videos, concert video ~~and interactive media~~ in the nature of literature, science, technology, religion, sports, politics, history, art, government, engineering, philosophy, fashion, mathematics, and economics; theatrical or musical works performed in a live setting; publication of books and screenplays; ~~providing a website featuring educational information in the field of music, theater, cinema, design, photography, visual and performing arts and animal training;~~ production of audio and audiovisual recordings; Entertainment in the

nature of live radio personality performances; ~~Entertainment services, namely, providing webcasts and video podcasts in the field of personality performances.~~

Provided that the Board accepts the amendment for the '843 Registration, and upon entry of the amendment and the abandonment of the '839 Application, the Parties by and through their counsel of record, stipulate and agree that all claims and counterclaims set forth in all of the above-captioned proceedings and as identified below be dismissed with prejudice, with each party to bear its own costs and fees:

1. Opposition No. 91252817 – Opposer's Opposition and Counterclaim
2. Cancellation No. 92074323 – Petition to Cancel
3. Opposition No. 91265309 – Opposer's Opposition and Counterclaim
4. Opposition No. 91265525 – Opposer's Opposition and Counterclaim

For the foregoing reasons, the Parties respectfully request that abandonment and amendment be granted and all of the above-captioned proceedings be dismissed with prejudice.

Respectfully submitted,

**CISLO & THOMAS LLP**

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Dated: August 31, 2022

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of STIPULATED AMENDMENT OF REGISTRATION AND WITHDRAWAL OF PROCEEDINGS WITH PREJUDICE was filed with the United States Patent and Trademark Office via the Electronic System for Trademark Trials and Appeals (ESTTA) and was served on counsel for Opposer by forwarding said copy via email on this 31<sup>st</sup> day of August 2022 to:

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