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

Proceeding	91253024
Party	Defendant Thrive Skilled Pediatric Care, LLC
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Submission	Other Motions/Papers
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Date	04/14/2020
Attachments	Notice of Settlement and Joint Motion for Suspension Abandonment Amend- ment.pdf(19061 bytes)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via the Electronic System for Trademark Trials and Appeals on April 14, 2020.

By: /Raymond Rundelli/
An attorney for Applicant

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

In the matter of Application Nos. 88/099124
and 88/099117
For the Mark THRIVE SKILLED PEDIATRIC CARE
and
Registration No. 5,162,830
For the Mark THRIVE SKILLED PEDIATRIC CARE

<i>KAISER FOUNDATION HEALTH PLAN, INC.,</i>	:	
	:	
Opposer/Petitioner,	:	
	:	
v.	:	Opposition No. 91253024 (parent case)
	:	Cancellation No. 92073001
	:	
<i>THRIVE SKILLED PEDIATRIC CARE, LLC,</i>	:	
	:	
Applicant/Registrant.	:	

NOTICE OF SETTLEMENT
AND
JOINT MOTION FOR SUSPENSION OF PROCEEDINGS, AMENDMENT OF APPLICATION AND REGISTRATION, AND ABANDONMENT OF APPLICATION

Opposer/Petitioner Kaiser Foundation Health Plan, Inc. (“Opposer”) and Applicant/Registrant Thrive Skilled Pediatric Care, LLC (“Applicant”), pursuant to TBMP §§ 605.03(a) and (b), and 602.01, and 37 CFR §§ 2.133 and 2.135, hereby notify the Board that the parties have resolved the above-captioned consolidated proceedings by agreement and pursuant to

that agreement the parties stipulate and agree that the consolidated proceedings be suspended and, subject to Board approval, the subject applications and registration be disposed as follows:

1. Applicant's Application No. 88/099117 shall be abandoned without prejudice.
2. The Class 044 identification of services for Applicant's Application No. 88/099,124, the only class of that application that is the subject of the above-captioned proceedings, shall be narrowed by amendment to: "Nursing services, namely, in-home pediatric nursing services; home health care services featuring pediatric aids; in-home occupational, physical, speech and respiratory therapy services for children."
3. The Class 044 identification of services for Applicant's Registration No. 5,162,830, shall be narrowed by amendment to: "Nursing services, namely, in-home pediatric nursing."

Dated: April 14, 2020

Respectfully submitted,

/Catherine E. Maxson/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing NOTICE OF SETTLEMENT AND JOINT MOTION FOR SUSPENSION OF PROCEEDINGS, AMENDMENT OF APPLICATION AND REGISTRATION, AND ABANDONMENT OF APPLICATION was served on counsel of record for Opposer email on this 14th day of April 2020, counsel for the parties having agreed to serve papers on the parties by way of email.

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