

ESTTA Tracking number: **ESTTA1092098**

Filing date: **10/29/2020**

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

Proceeding	91254383
Party	Defendant Poly-Wood, LLC
Correspondence Address	CHARLES J MEYER WOODARD EMHARDT HENRY REEVES & WAGNER 111 MONUMENT CIRCLE, SUITE 3700 INDIANAPOLIS, IN 46204 UNITED STATES Primary Email: <a href="mailto:cjmeyer@uspatent.com">cjmeyer@uspatent.com</a> Secondary Email(s): <a href="mailto:docketdept@uspatent.com">docketdept@uspatent.com</a> , <a href="mailto:danielle@uspatent.com">danielle@uspatent.com</a> 317-634-3456
Submission	Motion to Amend Application
Filer's Name	Charles J. Meyer
Filer's email	<a href="mailto:cjmeyer@uspatent.com">cjmeyer@uspatent.com</a> , <a href="mailto:docketdept@uspatent.com">docketdept@uspatent.com</a> , <a href="mailto:danielle@uspatent.com">danielle@uspatent.com</a>
Signature	/Charles J. Meyer/
Date	10/29/2020
Attachments	3585-40 Motion to Amend - TTAB.pdf(129607 bytes )

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

In re application Serial No. 88/298,400  
For the mark INFINITE

Mirage Granito Ceramico S.P.A.,	)	Opposition No. 91254383
	)	
Opposer,	)	
	)	
v.	)	
	)	
Poly-Wood, LLC	)	
	)	
Applicant.	)	

Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

**CONSENTED MOTION TO AMEND THE IDENTIFICATION OF GOODS  
AND TO DISMISS OPPOSITION**

Dear Trademark Trial And Appeal Board:

Please amend the description of goods to the following:

“Outdoor furniture not made with ceramic or porcelain tile, in International Class 20.”

This amendment is made as part of a settlement in an opposition filed against this application and with the consent of Opposer. This amendment restricts the goods claimed, and as such re-publication is not necessary.

Respectfully submitted,

By: /Charles J. Meyer/  
Charles J. Meyer, No 41,996  
Woodard, Emhardt, Henry, Reeves  
& Wagner LLP  
111 Monument Circle, Suite 3700  
Indianapolis, IN 46204-5137  
(317) 634-3456

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served via email to:

Attorney for Opposer

Wesley W. Whitmyer, Jr.  
Whitmyer IP group LLC  
600 Summer Street  
Stamford, CT 06901

Email: [wwhitmyer@whipgroup.com](mailto:wwhitmyer@whipgroup.com), [litigation@whipgroup.com](mailto:litigation@whipgroup.com),  
[rkeeler@whipgroup.com](mailto:rkeeler@whipgroup.com), [lmatturri@whipgroup.com](mailto:lmatturri@whipgroup.com)

on this 29<sup>th</sup> day of October, 2020.

By: Charles J. Meyer  
Charles J. Meyer  
Attorney for Poly-Wood, LLC