

ESTTA Tracking number: **ESTTA1109336**

Filing date: **01/21/2021**

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

Proceeding	91263461
Party	Defendant Bepensa Spirits, S.A. de C.V.
Correspondence Address	JUSTIN R YOUNG DINEFF TRADEMARK LAW LIMITED 160 N WACKER DRIVE CHICAGO, IL 60606 UNITED STATES Primary Email: jyoung@dineff.com 312-338-1000
Submission	Other Motions/Submissions
Filer's Name	Justin R. Young
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Date	01/21/2021
Attachments	Stipulated Amendment and Withdrawal 91263461 - 1-21-21.pdf(175491 bytes)

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

Proceeding No.	91263461
Filing Party	Applicant Bepensa Spirits, S.A. de C.V.
Other Party	Opposer Indian River Beverage Corporation

**STIPULATION TO AMEND IDENTIFICATION OF GOODS AND TO DISMISS
OPPOSITION**

Applicant and Opposer hereby request that the identification of goods in U.S. Trademark Application Number 88/671219 in International Class 33 be amended to read to:

“Alcoholic beverages except beer and hard cider, namely, prepared alcoholic cocktails, alcoholic carbonated beverages, malt based alcohol beverages, none of the foregoing including beverages with rum or flavor-profiles of rum.”

The foregoing amendment of the goods in the opposed application does not affect the substance of Applicant’s mark and, therefore, may be entered without republication.

Contingent upon the approval by the Trademark Trial and Appeal Board of the Motion to Amend Identification of Goods, Opposer moves for dismissal of Opposition proceeding number 91263461 with prejudice.

Both parties have secured the express consent of the other party in this proceeding for the requested Stipulation to Amend Identification of Goods and the contingent Motion to Dismiss Opposition made herein.

Respectfully submitted,

Bepensa Spirits, S.A. de C.V.

Indian River Beverage Corporation



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Attorney for Opposer

Dated: January 21, 2021

Dated: January 21, 2021

Certificate of Service

I hereby certify that a true and complete copy of the foregoing STIPULATION TO AMEND IDENTIFICATION OF GOODS AND TO DISMISS OPPOSITION has been served on this date January 21, 2021 upon Attorney for Opposer at his address of record by email as agreed by the parties.

A handwritten signature in blue ink, appearing to read "Justin R. Young". The signature is stylized with a large loop and a long horizontal stroke.

Justin R. Young