

ESTTA Tracking number: **ESTTA1126994**

Filing date: **04/14/2021**

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

Proceeding	91264978
Party	Defendant Hornitos Bakery LLC
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Submission	Motion to Amend Application
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Signature	/Stephen L. Baker/
Date	04/14/2021
Attachments	motion to amend application before the TTAB.pdf(67926 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEBEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Serial No. 88/676,031
Filed: October 31, 2019
For the mark: HORNITOS
Published in the Official Gazette: May 26, 2020

Hornitos Bakery LLC,)
)
 Opposer,)
)
v.) Opposition No. 91264978
)
Hornitos Bakery LLC,)
)
 Applicant.)

MOTION FOR CONTINUED SUSPENSION OF THE OPPOSITION
PROCEEDINGS TO ALLOW THE TTAB TO CONSIDER AN
AMENDMENT TO THE IDENTIFICATION OF SERVICES AND, IF AMENDED, TO
DISMISS THE OPPOSITION UPON THE FILING BY THE OPPOSER OF A
WITHDRAWAL OF THE OPPOSITION

The parties have reached a settlement (hereinafter "Agreement") of this opposition proceeding dated April 8, 2021, which Agreement requires the Applicant to amend the identification of services to delete class 042 in its entirety.

In accordance with the Agreement, Applicant hereby deletes from the application:

IC 043. US 100 101. G & S: Restaurant services featuring Colombian style food.

The remaining services in the application upon the amendment thereof:

IC 035. US 100 101 102. G & S: Retail bakery shops.

Applicant has secured the consent of the Opposer to the filing of this motion.

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Amendment of the application being opposed is thought to be in order.

Respectfully submitted.

BAKER AND RANNELLS, PA



By: _____

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing has been served on Opposer via email on April 14, 2021, to the attorneys for Opposer at: IPDocket@mayerbrown.com, michaeladams@mayerbrown.com, rassmus@mayerbrown.com, gbarcelona@mayerbrown.com, JBrown@mayerbrown.com



Stephen L. Baker