

ESTTA Tracking number: **ESTTA1125969**

Filing date: **04/09/2021**

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

Proceeding	91265526
Party	Defendant Bradford White Corporation
Correspondence Address	JOHN W MCGLYNN RATNERPRESTIA 2200 RENAISSANCE BOULEVARD SUITE 350 KING OF PRUSSIA, PA 19406 UNITED STATES Primary Email: tmde@ratnerprestia.com 610-407-0700
Submission	Other Motions/Submissions
Filer's Name	John W. McGlynn
Filer's email	tmde@ratnerprestia.com
Signature	/jwm/
Date	04/09/2021
Attachments	Consented Motion to Amend 20210409.pdf(103511 bytes)

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

Seeley International Pty Ltd,

Opposer,

v.

Bradford White Corporation,

Applicant.

Opposition No. 91265526

CONSENTED MOTION TO AMEND

Opposer, Seeley International Pty Ltd, (“Opposer”) and Applicant, Bradford White Corporation (“Applicant”) have reached a settlement in connection with the instant proceeding. With Opposer’s consent, Applicant requests the Board amend the identification of goods for the subject application, U.S. App. Serial No. 88795673 for ICON, as follows (new wording underlined):

International Class 009

Water heater and heating boiler controls; computer hardware and recorded software for water heaters and heating boilers, namely, for controlling water heaters and heating boilers, monitoring the status of water heaters and heating boilers, and transmitting the status of water heaters and heating boilers over a global computer network; water heater and heating boiler control and monitoring systems comprised primarily of water heater and heating boiler controls, sensors, displays, touchpads, and computer hardware and recorded software for controlling and monitoring the status of water heaters and heating boilers, and transmitting the status of water heaters and heating boilers over a global computer network; water heater thermostats; water heater and heating boiler temperature controls, all of the aforementioned being used solely for water heaters and heating boilers and controls therefor, and excluding all use relating to air conditioning systems, products, equipment, and components including, but not limited to, evaporative coolers, air conditioners, and cooling systems for the cooling of rooms, homes, spaces, or buildings

International Class 011

Water heaters; heating boilers; gas control valves for water heaters and heating boilers, all of the aforementioned being used solely for water heaters and heating boilers and controls therefor, and excluding all use relating to air conditioning systems, products, equipment, and components including, but not limited to, evaporative coolers, air conditioners, and cooling systems for the cooling of rooms, homes, spaces, or buildings

The parties submit that the amendments to the identification of goods should be allowed, as the additional wording is limiting.

DATE: April 9, 2021

Respectfully Submitted,

/Katherine Koenig/
Katherine Koenig
Koenig IP Works PLLC
2208 Mariner Drive
Fort Lauderdale, FL 33316
(954) 903-1699
katherine@koenigipworks.com
mail@koenigipworks.com

Attorneys for Opposer

/jwm/
John W. McGlynn
RatnerPrestia
2200 Renaissance Boulevard, Suite 350
King of Prussia, PA 19406
(610) 407-0700
jwmcglynn@ratnerprestia.com
trademarks@ratnerprestia.com

Attorneys for Applicant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the document identified below has been served via the method stated below:

Date of Service:	April 9, 2021
Title of Document:	Consented Motion to Amend
Name of Party Served:	Katherine Koenig, Esq. KOENIG IP WORKS PLLC 2208 Mariner Dr. Fort Lauderdale, FL 33316 katherine@koenigipworks.com mail@koenigipworks.com <i>Attorneys for Opposers</i>
Method of Service:	Via email

/Jane Frankland/
Jane Frankland