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

Proceeding no.	91266358
Party	Defendant Phenix Salon, LLC
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Submission	Other Motions/Submissions
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Date	02/07/2022
Attachments	CLUTCH Motion_Feb 7.pdf(260438 bytes)

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

In the matter of Application Serial No. 87/430,079
For the Mark CLUTCH
Published in the Official Gazette on June 9, 2020

Abercrombie & Fitch Trading Co., <i>Opposer,</i> v. Phenix Salon, LLC, <i>Applicant.</i>
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Opposition No. 91266358

**STIPULATED MOTION TO AMEND APPLICATION AND CONTINGENT
DISMISSAL OF OPPOSITION WITHOUT PREJUDICE**

The parties, through their undersigned counsel, jointly file this Stipulated Motion to Amend Application and Contingent Dismissal of Opposition No. 91266358 Without Prejudice.

Applicant, Phenix Salon, LLC (“Phenix”), hereby moves pursuant to 37 C.F.R. § 2.133(a) to amend U.S. Trademark Application Serial No. 87/430,079 for the mark CLUTCH.

The goods description for the application should be amended as follows:

Original Language	Redlined Amended Language
Class 3: Hair spray	Class 3: "Hair spray; <u>the foregoing sold only through applicant's stores</u> "

Opposer, Abercrombie & Fitch Trading Co. (“Opposer”), consents to the foregoing amendment.

As these amendments do not expand the scope of the identifications of goods, and as Opposer has consented to this amendment, Applicant submits that this amendment complies with the applicable rules.

Additionally, contingent upon the Board's approval of Phenix's motion to amend the applications as set forth above, Opposer, with the consent of Phenix, moves the dismissal of this opposition without prejudice.

Abercrombie & Fitch Trading Co.

By its Attorney,



Lindsay Capps
Abercrombie & Fitch Trading Co.
lindsay_capps@anfcorp.com

Phenix Salon, LLC

By its Attorney,



Eric Perrott
Gerben Perrott, PLLC
eperrott@gerbenlawfirm.com

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2022, a true and correct copy of the foregoing MOTION is being served by electronic mail on Opposer as shown in the correspondence record in the Office, as follows:

Lindsay Capps
ipdocketingwest@anfcorp.com

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eric Perrott', with a stylized flourish at the end.

Dated: January 19, 2022

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