

ESTTA Tracking number: **ESTTA1155783**

Filing date: **08/26/2021**

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

Proceeding	91267089
Party	Defendant Alclear, LLC
Correspondence Address	PETER H. AJEMIAN BROWNSTEIN HYATT FARBER SCHRECK, LLP 100 N. CITY PARKWAY, SUITE 1600 LAS VEGAS, NV 89106 UNITED STATES Primary Email: dntrademarkdocket@bhfs.com Secondary Email(s): pajemian@bhfs.com 702-382-2101
Submission	Motion to Amend Application
Filer's Name	Peter H. Ajemian
Filer's email	jobermeyer@bhfs.com, pajemian@bhfs.com, skline@bhfs.com, dntrademarkdocket@bhfs.com
Signature	/Peter H. Ajemian/
Date	08/26/2021
Attachments	Take-Two v. Alclear Opp 91267089 Stipulated Motion to Amend Application.pdf(8402 bytes)

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

In the Matter of the Trademark Application Serial No. 88879209
For the Trademark: I2T2

TAKE-TWO INTERACTIVE SOFTWARE,
INC.,

Opposer,

v.

ALCLEAR, LLC,

Applicant.

OPPOSITION NO. 91267089

STIPULATED MOTION TO AMEND APPLICATION

Pursuant to Rule 2.133 of the Trademark Rules of Practice Alclear, LLC (“Applicant”) requests the Identification of Goods and Services in the Application Serial No. 88/879,209 (“Application”) be amended to read as follows by adding the text shown in boldface:

Class 009: Downloadable software application that enables users to enter, access, track, monitor, verify and generate personal health and medical information and reports; downloadable software application for verification and authentication of personal identity and health information and records; **none of the foregoing relating to or promoting entertainment software, video games, or computer games**

Class 042: Providing temporary use of non-downloadable, web-based software application that enables users to enter, access, track, monitor, verify and generate personal health and medical information and reports; providing temporary use of non-downloadable, web-based software application for verification and authentication of personal identity and health information and records; **none of the foregoing relating to or promoting entertainment software, video games, or computer games**

The amendment should be deemed acceptable because it limits, rather than broadens, the scope of the descriptions covering Classes 009 and 042.

Together with Applicant, Take-Two Interactive Software, Inc. consents to this amendment to the Application.

Applicant respectfully requests that this motion to amend the Application be granted in its entirety.

//

//

Dated: August 25, 2021.

/s/ Peter H. Ajemian

Peter H. Ajemian

BROWNSTEIN HYATT FARBER SCHRECK, LLP

100 N. City Parkway, Suite 1600

Las Vegas, NV 89106

E-mail: pajemian@bhfs.com

Telephone: 702.382.2101

Attorney for Applicant Alclear, LLC

Dated: August 25, 2021.

/s/ Patricia Werner

Patricia Werner

Kerianne Losier

KELLEY DRYE & WARREN LLP

101 Park Avenue

New York, NY 10078

E-mail: pwerner@kelleydrye.com

E-mail: klosier@kelleydrye.com

Attorneys for Opposer Take-Two Interactive Software, Inc.

CERTIFICATE OF SERVICE

I, Julie Obermeyer, hereby certify that on August 26, 2021 I served the foregoing STIPULATED MOTION TO AMEND APPLICATION upon the following person(s) via electronic mail:

Patricia Werner
Kerianne Losier
KELLEY DRYE & WARREN LLP
101 Park Avenue
New York, NY 10078
E-mail: pwerner@kelleydrye.com
E-mail: klosier@kelleydrye.com

Attorneys for Opposer Take-Two Interactive Software, Inc.

/s/ Julie Obermeyer
Julie Obermeyer
Paralegal
Brownstein Hyatt Farber Schreck, LLP
100 N. City Parkway, Suite 1600
Las Vegas, NV 89106