

ESTTA Tracking number: **ESTTA1210194**

Filing date: **05/19/2022**

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

Proceeding no.	91269268
Party	Defendant S6 Innovations Inc.
Correspondence address	KIMBERLY N. FISHER KOLITCH ROMANO LLP 520 SW YAMHILL ST., SUITE 200 PORTLAND, OR 97204 UNITED STATES Primary email: docketing@kolitchromano.com No phone number provided
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Date	05/19/2022
Attachments	20220519_Consent_Motion_to_Amend_Application_GWL420OPP.pdf(89739 bytes)

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

In the Matter of Application Serial No. 79279812
For the mark: LIFEPOD
Filed: January 15, 2020
Filing Basis: 66(a)
Published: March 9, 2021

JLG Industries, Inc. , a Pennsylvania corporation,)	
)	
Opposer,)	Opposition No. 91269268
)	
v.)	
)	
S6 Innovations Inc. , a Canada corporation,)	
)	
Applicant.)	

**CONSENT MOTION TO AMEND APPLICATION
AND REQUEST FOR WITHDRAWAL OF OPPOSITION WITHOUT
PREJUDICE UPON ACCEPTANCE OF AMENDMENT**

Applicant S6 Innovations Inc. hereby requests to amend the goods and services in U.S.

Serial No. 79279812 for the mark LIFEPOD as follows:

Class 7: ~~Floating light and heavy machines, namely, dredging machines, earth moving machines, mine working machines, drilling machines, tunnel boring machines, roadbuilding machines, loading and unloading machines, hoisting machines; light and heavy machinery, namely, dredging machines, earth moving machines, mine working machines, drilling machines, tunnel boring machines, roadbuilding machines, loading and unloading machines, hoisting machines, wheel loaders, tiling machines for agriculture, combine harvester, timber harvesting machinery; floating cranes; cranes; floating excavating machines; excavator machines; floating operator cabs for excavator machines, cranes and light and heavy machinery and equipment in the nature of dredging machines, earth moving machines, mine working machines, drilling machines, tunnel boring machines, roadbuilding machines, loading~~

and unloading machines, ~~hoisting machines~~; operator cabs for excavator machines, ~~cranes and~~ light and heavy machinery and equipment, namely, dredging machines, earth moving machines, mine working machines, drilling machines, tunnel boring machines, roadbuilding machines, loading and unloading machines, ~~hoisting machines~~, wheel loaders, tiling machines for agriculture, combine harvester, timber harvesting machinery; operator cabs for amphibious vehicles; detachable cabs for amphibious vehicles; detachable cabs for excavator machines, ~~cranes and~~ light and heavy machinery and equipment, namely, dredging machines, earth moving machines, mine working machines, drilling machines, tunnel boring machines, roadbuilding machines, loading and unloading machines, ~~hoisting machines~~, wheel loaders, tiling machines for agriculture, combine harvester, timber harvesting machinery; floating detachable cabs for amphibious vehicles; floating detachable cabs for excavator machines, ~~cranes and~~ light and heavy machinery and equipment, namely, dredging machines, earth moving machines, mine working machines, drilling machines, tunnel boring machines, roadbuilding machines, loading and unloading machines, ~~hoisting machines~~; **none of the foregoing including platforms or cabs for use with aerial equipment or telescopic handlers, forklifts and rotating telehandlers, or loading and unloading machines in the nature of telehandlers**

Class 37: ~~Rental, leasing, repair, and maintenance of heavy machinery; rental, leasing, repair, and maintenance of floating light and heavy machinery and equipment; rental, leasing, repair, and maintenance of light and heavy machinery and equipment; rental, leasing, repair, and maintenance of floating cranes; rental, leasing, repair, and maintenance of cranes; rental, leasing, repair, and maintenance of floating excavators; rental, leasing, repair, and maintenance of excavators; rental, leasing, repair, and maintenance of floating operator cabs for excavators, ~~cranes and~~ light and heavy machinery and equipment; rental, leasing, repair, and maintenance of operator cabs for excavators, ~~cranes and~~ light and heavy machinery and equipment; rental, leasing, repair, and maintenance of operator cabs for amphibious vehicles; rental, leasing, repair, and maintenance of detachable cabs for amphibious vehicles; rental, leasing, repair, and maintenance of detachable cabs for excavators, ~~cranes and~~ light and heavy machinery and equipment; rental, leasing, repair, and maintenance of floating detachable cabs for amphibious vehicles; rental, leasing, repair, and maintenance of floating detachable cabs for excavators, ~~cranes and~~ light and heavy machinery and equipment; **none of the foregoing including platforms or cabs for use with aerial equipment or telescopic handlers, forklifts and rotating telehandlers, or loading and unloading machines in the nature of telehandlers**~~

Opposer JLG Industries, Inc. consents to the above amendment of Applicant's application. The parties aver that the proposed amendment to the specification of goods and services in the subject application is limiting in nature and, therefore, that the proposed amendment is in compliance with the applicable rules and statutory provisions, namely, 37 C.F.R. § 2.71(a).

The parties stipulate and agree to a suspension of this proceeding until the Board has decided this motion to enter the amendment.

The parties further stipulate and agree that upon the Board's approval and entry of the amendment requested above, this opposition proceeding be withdrawn without prejudice and Applicant's application allowed to proceed to registration.

DATED this 19th day of May 2022.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing CONSENT MOTION TO AMEND APPLICATION AND REQUEST FOR WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE UPON ACCEPTANCE OF AMENDMENT has been served on Opposer's counsel, Donna J. Bunton, by forwarding said copy on May 19, 2022, via email to:

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By /Kimberly N. Fisher/
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