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

Proceeding no.	91270502
Party	Defendant Tenro AG
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Submission	Motion to Amend Application
Filer's name	Scott D. Woldow
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Signature	/SW/
Date	03/20/2025
Attachments	Consent Motion to Amend and Withdraw.pdf(69268 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

R. and Everything Else, Inc.	)	
	)	
Opposer,	)	
	)	Opposition No. 91270502
v.	)	Serial No. 79/293470
	)	Mark: R & Design
Tenro AG	)	Published: January 12, 2021
	)	
Applicant.	)	

CONSENT MOTION TO

AMEND APPLICATION AND WITHDRAW OPPOSITION

Applicant, Tenro AG, hereby requests pursuant to TBMP 514.02 and 37 CFR §2.133(a) that the Trademark Trial and Appeal Board approve the amendment of Application Serial No. 79/293470 by restricting the identification of goods as follows;

FROM:

Goggles for sports; swimming goggles; ski goggles; sunglasses; protective helmets for sports; wearable activity sensors in the nature of wearable activity trackers; measuring instruments, namely, connected bracelets in the nature of surveying chains and smart watches; smartwatches; headphones, in-ear headphones being earbuds; wireless electronic scales; downloadable computer application software for smartphones and mobile devices for the recording and tracking of data in the field of fitness level, personal training, coaching, sports training sessions and physical fitness assessment; downloadable computer application software for the creation of customized programs in the field of fitness and sports training; none of the foregoing relating to or promoting gaming software, video games, computer games, or musical recordings, in Class 9;

~~Leather and imitations of leather; luggage and transport bags in the nature of suitcases; shoulder bags; sports backpacks;~~ **sports bags;** ~~backpacks; bags for climbers in the nature of all-purpose carrying bags; daypacks~~; **bags for sports footwear** ~~and sports clothing; traveling bags for sports footwear and sports clothing; gym bags; shoe bags for travel; multi-purpose sports bags; multi-purpose handbags; wrist mounted wallets; beach bags; mountaineering sticks; wallets; all-purpose carrying bags for use by campers; felt clutch bags; golf umbrellas; handbags; suitcases; traveling trunks;~~

~~vanity cases, sold empty; leather handbags; leather bags; umbrellas; parasols; beach umbrellas; jockey sticks; barrel bags; clutch bags; hiking backpacks; hiking sticks; hiking bags~~, in Class 18;

Bottles, sold empty; insulating flasks; drinking flasks for travelers; drinking vessels, in Class 21;

~~Clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks~~; **footwear**; ~~headwear; outdoor footwear; leisure footwear;~~ **running shoes**; ~~athletic footwear; footwear for walking; trail shoes; trail running shoes; boots for mountain climbing; climbing footwear; baseball shoes; football boots;~~ **tennis shoes**; ~~snowboard boots; ski boots; basketball sneakers; bath slippers; sports clothing, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; sportswear, namely, tee-shirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts, socks; anti-humidity clothing, namely, tops and trousers; moisture-wicking underwear; breathable clothing, namely, tops and trousers; breathable underwear; sports bras; tee-shirts; sports t-shirts; running shirts; tops as clothing; singlets; tank tops; long-sleeved jerseys; sweatshirts; vests; trousers; sports trousers; running pants; shorts; sports shorts; running shorts; ski pants; jackets; outdoor jackets; sports jackets; sports coats; rain slickers; pelerines; ski jackets; bathing suits; bathing trunks; bikinis; baseball caps; bonnets being caps; caps being headwear; bathing caps; leg warmers being leggings; boxer shorts; socks; sports socks; ankle socks; sports tank tops; underwear; thermal protection clothing, namely, teeshirts, tops, singlets, tank tops, long sleeve shirts, sweatshirts, vests, jackets, pants, shorts, tights, skirts; thermal underwear; thermal socks; headwear of thermal textile materials; headbands; scarves, gloves; sweat bands; head sweatbands; clothing, namely, waist belts; bathrobes~~; **none of the foregoing relating to or promoting gaming software, video games, computer games, or musical recordings**, in Class 25;

Articles for ~~gymnastics and~~ **sports**, **namely**, ~~sleds, spring boards, weight lifting belts, gymnastic apparatus~~, **vibration dampeners for rackets**; ~~gymnastic apparatus and equipment, namely, gymnastic benches, gymnastic vaulting horses, gymnastic mats, gymnastic parallel bars; wrist guards for sports for athletic use; elbow guards for athletic use; knee guards for athletic use; shin guards for athletic use; gymnastic apparatus, namely, horizontal, uneven and parallel bars; balance beams for gymnastics; springboards; starting blocks for sports; body-building apparatus; hand-operated apparatus for gymnastics, namely, gymnastic rings; dumbbells; surfboards; sailboards; balls for games~~; **balls for sports**; ~~soccer balls; rugby balls; training balls, namely, exercise balls; basketballs; balls for volleyball; in-line roller skates; hockey sticks~~; **tennis rackets**; ~~skis; ski bindings; snowboards; climbers' harnesses; ice skates~~, in Class 28.

TO:

Goggles for sports; swimming goggles; ski goggles; sunglasses; protective helmets for sports; wearable activity sensors in the nature of wearable activity trackers; measuring instruments, namely, connected bracelets in the nature of surveying chains and smart watches; smartwatches; headphones, in-ear headphones being earbuds; wireless electronic scales; downloadable computer application software for smartphones and mobile devices for the recording and tracking of data in the field of fitness level, personal training, coaching, sports training sessions and physical fitness assessment; downloadable computer application software for the creation of customized programs in the field of fitness and sports training; none of the foregoing relating to or promoting gaming software, video games, computer games, or musical recordings, in Class 9; [**Unchanged**]

Sports bags, namely, tennis bags; tennis racket bags and bags for tennis footwear, in Class 18;

Bottles, sold empty; insulating flasks; drinking flasks for travelers; drinking vessels, in Class 21; [**Unchanged**]

Class 25: Footwear, namely, sneakers, running shoes, footwear, namely, outdoor closed-toe shoes, sports footwear, and tennis shoes; none of the foregoing relating to or promoting gaming software, video games, computer games, or musical recordings;

Class 28: Articles for tennis, namely, vibration dampeners for rackets; balls for sports, namely, tennis balls; tennis rackets.

The identification of goods has been limited and remains within the scope of the identification of goods as published in the Official Gazette.

The Identification of Goods in Class 9 and Class 21 remains unchanged.

Opposer, R. and Everything Else, Inc., hereby consents to the amendment of Application Serial No. 79293470, and conditionally only upon acceptance of the revised identification of goods, hereby withdraws its Notice of Opposition to Application Serial No. 79293470 without prejudice.

Respectfully submitted,

R. and Everything Else, Inc.

By: /ND/
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Dated March 20, 2025
Attorney for R. and Everything Else, Inc.

Tenro AG,

By: /SW/
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Dated March _20__, 2025
Attorney for Tenro AG

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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 Withdraw Opposition has been served by email on Nadya Davis, counsel for Opposer, R. and Everything Else, Inc., on March _20__, 2025.

/SW/

Scott D. Woldow
Attorney of Record, DC Bar Member

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