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Filing date: **10/03/2022**

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

Proceeding no.	91277582
Party	Defendant Alexander Barnett and Hagen BrÃ¼ggemann
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Signature	/Sheryl De Luca/
Date	10/03/2022
Attachments	8539-5.applicants consented motion to amend application signed.pdf(414645 bytes)

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

Freestyle Brands, LLC)	
)	
Opposer,)	
)	Opposition No. 91277582
v.)	
)	Application No. 79316198
Alexander Barnett and)	Mark: MUDSHARK & Design
Hagen Brüggemann,)	
)	
Applicants)	
)	

APPLICANTS' CONSENTED MOTION TO AMEND APPLICATION

Applicants hereby request amendment of the identification of services in Class 35 in Application Serial No. 79316198 for MUDSHARK & Design to delete the words “time instruments, watches,” so that the identification is amended to read as follows:

Class 35 (red lined):

Retail store services featuring recorded content in the nature of pre-recorded and downloadable music, movies and video, software, downloadable software, computer software, software applications for computers, tablet computers, televisions and smartphones, downloadable electronic publications, downloadable electronic publications in relation to puppets, animation cartoons, entertainment, audio, video and multimedia production and photography; retail store services featuring game software, blog software, virtual and augmented reality software, downloadable media files, downloadable videos, digital music, downloadable podcasts, ringtones, digital photos, postcards, printable planners and organizers, printing fonts, computer graphics, electronic books, educational media in the nature of audio files, electronic brochures, electronic newspapers, electronic newsletters, pre-recorded videos, downloadable electronic files in the field of entertainment, namely, ringtones, graphics, images and music via a global network, and wireless devices, audio books, audio recordings, video discs featuring animated cartoons and films, digital recording media in the nature of videotape recorders, multi-media audio recordings, music recordings, digital media, namely, downloadable audio and video recordings, recording discs, pre-recorded CDs and DVDs, downloadable interactive DVDs, CDs, and blank digital storage media, apparatus for recording, transmission or reproduction of sound or images, data processing equipment and accessories, telecommunications equipment, multimedia devices, headphones, decorative magnets, leather and leatherette cases for mobile phones and tablet PCs, covers for mobile phones and tablet PCs, spectacles and sunglasses,

works of art and figurines of paper and cardboard, and architects' models, printed matter, printed matter in relation to puppets, animation cartoons, entertainment, audio, video and multimedia production and photography, printed publications, magazines, books, comic books, newsletters, postcards, trivia cards, photographs, memo pads, sketchbooks, address books, date books, diaries, posters, book covers, calendars, greeting cards, occasion cards, holiday cards, wall calendars, gift cards, gift tags, stickers, notebooks, pens, pencils, pencil cases, writing implements, labels, book marks, decorative transfers, paper and cardboard, napkins, self-adhesive paper stickers, paper or plastic packaging materials, bags, packets in the nature of envelopes and bags for packaging, gift wrap, gift packaging, gift bags, gift paper envelopes, art prints, pictures, drawings, etchings, calligraphic works, graphic art prints, household and kitchen utensils and containers, oven gloves, chinaware, glassware, porcelain, earthenware, decorative china, tableware, pottery, crystal, crockery, cups, mugs, bowls, dishes, plates, coasters, figurines, statues and statuettes, glass figures, pet feeding and drinking bowls, jewelry, key rings, key chains, precious charms, **time instruments, watches,** luggage, bags, shopping bags, rucksacks, back packs, sports bags, duffel bags, gym bags, tote bags, hand bags, satchels, coin purses, wallets, purses, umbrellas, umbrella covers, credit card holders, luggage label holders, parasols, bed linens, home furnishings, lamps, beds, bedding, mattresses, pillows and cushions, bed linen and blankets, bed sheets, duvet covers, foods, drinks, clothing, footwear, headwear, t-shirts, sportswear, outerwear, leisure wear, toys, games, playthings, novelty masks, plush toys, board games, card games, puzzles, electronic games, party games, quiz games, video game apparatus, plastic toys, toy figures, toy models, toy modelling dough, toy figures attachable to mobile phones, pencils or key rings; online retail store services featuring recorded content in the nature of pre-recorded and downloadable music, movies and video, software, downloadable software, computer software, software applications for computers, tablet computers, televisions and smartphones, downloadable electronic publications, downloadable electronic publications in relation to puppets, animation cartoons, entertainment, audio, video and multimedia production and photography; online retail store services featuring game software, blog software, virtual and augmented reality software, downloadable media files, downloadable videos, digital music, downloadable podcasts, ringtones, digital photos, postcards, printable planners and organizers, printing fonts, computer graphics, electronic books, educational media in the nature of audio files, electronic brochures, electronic newspapers, electronic newsletters, pre-recorded videos, downloadable electronic files in the field of entertainment, namely, ringtones, graphics, images and music via a global network, and wireless devices, audio books, audio recordings, video discs featuring animated cartoons and films, digital recording media in the nature of videotape recorders, multi-media audio recordings, music recordings, digital media, namely, downloadable audio and video recordings, recording discs, pre-recorded CDs and DVDs, downloadable interactive DVDs, CDs, and blank digital storage media, telecommunications equipment, multimedia devices, headphones, decorative magnets, leather and leatherette cases for mobile phones and tablet PCs, covers for mobile phones and tablet PCs, spectacles and sunglasses, works of art and figurines of paper and cardboard, and architects' models, printed matter, printed matter in relation to puppets, animation cartoons, entertainment, audio, video and multimedia production and photography, printed publications, magazines, books, comic books, newsletters, postcards, trivia cards, photographs, memo pads, sketchbooks, address books, date books, diaries, posters, book covers, calendars, greeting cards, occasion cards, holiday cards, wall calendars, gift cards, gift tags, stickers, notebooks, pens, pencils, pencil cases, writing implements, labels, book marks, decorative transfers, plastic materials for packaging, paper and

cardboard, napkins, self-adhesive paper stickers, paper or plastic packaging materials, bags, packets in the nature of envelopes and bags for packaging, gift wrap, gift packaging, gift bags, gift paper envelopes, art prints, pictures, drawings, etchings, calligraphic works, graphic art prints, household and kitchen utensils and containers, oven gloves, chinaware, glassware, porcelain, earthenware, decorative china, tableware, pottery, crystal, crockery, cups, mugs, bowls, dishes, plates, coasters, figurines, statues and statuettes, glass figures, pet feeding and drinking bowls, jewelry, key rings, key chains, precious charms, **time instruments, watches,** luggage, bags, shopping bags, rucksacks, back packs, sports bags, duffel bags, gym bags, tote bags, hand bags, satchels, coin purses, wallets, purses, umbrellas, umbrella covers, credit card holders, luggage label holders, parasols, bed linens, home furnishings, lamps, beds, bedding, mattresses, pillows and cushions, bed linen and blankets, bed sheets, duvet covers, foods, drinks, clothing, footwear, headwear, t-shirts, sportswear, outerwear, leisure wear, toys, games, playthings, novelty masks, plush toys, board games, card games, puzzles, electronic games, party games, quiz games, video game apparatus, plastic toys, toy figures, toy models, toy modelling dough, toy figures attachable to mobile phones, pencils or key rings

Class 35 (clean):

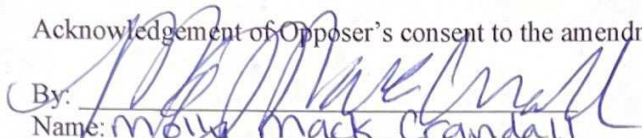
Retail store services featuring recorded content in the nature of pre-recorded and downloadable music, movies and video, software, downloadable software, computer software, software applications for computers, tablet computers, televisions and smartphones, downloadable electronic publications, downloadable electronic publications in relation to puppets, animation cartoons, entertainment, audio, video and multimedia production and photography; retail store services featuring game software, blog software, virtual and augmented reality software, downloadable media files, downloadable videos, digital music, downloadable podcasts, ringtones, digital photos, postcards, printable planners and organizers, printing fonts, computer graphics, electronic books, educational media in the nature of audio files, electronic brochures, electronic newspapers, electronic newsletters, pre-recorded videos, downloadable electronic files in the field of entertainment, namely, ringtones, graphics, images and music via a global network, and wireless devices, audio books, audio recordings, video discs featuring animated cartoons and films, digital recording media in the nature of videotape recorders, multi-media audio recordings, music recordings, digital media, namely, downloadable audio and video recordings, recording discs, pre-recorded CDs and DVDs, downloadable interactive DVDs, CDs, and blank digital storage media, apparatus for recording, transmission or reproduction of sound or images, data processing equipment and accessories, telecommunications equipment, multimedia devices, headphones, decorative magnets, leather and leatherette cases for mobile phones and tablet PCs, covers for mobile phones and tablet PCs, spectacles and sunglasses, works of art and figurines of paper and cardboard, and architects' models, printed matter, printed matter in relation to puppets, animation cartoons, entertainment, audio, video and multimedia production and photography, printed publications, magazines, books, comic books, newsletters, postcards, trivia cards, photographs, memo pads, sketchbooks, address books, date books, diaries, posters, book covers, calendars, greeting cards, occasion cards, holiday cards, wall calendars, gift cards, gift tags, stickers, notebooks, pens, pencils, pencil cases, writing implements, labels, book marks, decorative transfers, paper and cardboard, napkins, self-adhesive paper stickers, paper or plastic packaging materials, bags, packets in the nature of

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Opposer consents to this proposed amendment as indicated by signature of their counsel below.

Acknowledgement of Opposer's consent to the amendment:

By: 
Name: Molly Mack Crandall
Date: October 3, 2022
Attorneys for Freestyle Brands, LLC

ALEXANDER BARNETT AND HAGEN
BRÜGGEMANN

Date: October 3, 2022

By: /Sheryl De Luca/
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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of October 2022, a true and complete copy of the foregoing APPLICANT'S CONSENTED MOTION TO AMEND APPLICATION has been served on Molly Mack Crandall, Attorney for Opposer, by forwarding said copy *via email* to the following:

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By: /Sheryl De Luca/
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