

ESTTA Tracking number: **ESTTA1274152**

Filing date: **03/24/2023**

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

Proceeding no.	91282127
Party	Defendant MÃ#RV Skincare Inc.
Correspondence address	RYAN M. KAISER KAISER IP LLC 161 N. CLARK ST. SUITE 1600 CHICAGO, IL 60601 UNITED STATES Primary email: ryan@kaiserip.com Secondary email(s): uspto@haloo.co 773-474-8271
Submission	Motion to Amend Application
Filer's name	Ryan M. Kaiser
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Signature	/Ryan M. Kaiser/
Date	03/24/2023
Attachments	Motion to Amend and Dismiss.pdf(309029 bytes)

MRZ.074M

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

Merz Pharma GmbH & Co. KGaA,)	
Opposer,)	Opposition No. 91282127
v.)	Application Serial No.: 90/861064
)	Mark: MÉRV
MÉRV Skincare Inc.,)	
Applicant.)	
)	
)	

**MOTION TO AMEND SERIAL NO. 90/861064 AND MOTION DISMISS OPPOSITION
PROCEEDING WHEREIN SETTLEMENT AND DISMISSAL OF THE OPPOSITION
ARE CONTINGENT UPON ACCEPTANCE OF THE AMENDMENT**

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Pursuant to T.B.M.P. § 514.02, the parties request that the Trademark Trial and Appeal Board (the "Board") amend the description of goods in Application Serial No. 90/861064 by adding a limitation to the goods. Upon entry of the amendment, the parties stipulate to the withdrawal of the above-referenced Opposition Proceeding with prejudice. The dismissal of the Opposition Proceeding with prejudice is contingent on the Board entering the amendment limiting the goods as set forth below.

AMENDMENT

Please amend the description of goods in the subject application as follows:

Cosmetic preparations for skin care, **namely, essential oils infused with organic botanicals for personal use**

REMARKS

The parties hereby request that Application Serial No. 90/861064 be amended as set forth above. As this amendment limits the goods, the parties submit that the proposed amendment complies with the applicable rules. Once the amendment is entered, the parties request that the above-referenced Opposition Proceeding be dismissed with prejudice.

Respectfully submitted,

KAISER IP LLC

Knobbe, Martens, Olson & Bear, LLP

By: Ryan Kaiser
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By: Jeffrey Van Hoosear
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Attorney for Opposer

Date: March 24, 2023

Date: March 24, 2023

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **MOTION TO AMEND SERIAL NO. 90/861064 AND MOTION DISMISS OPPOSITION PROCEEDING WHEREIN SETTLEMENT AND DISMISSAL OF THE OPPOSITION ARE CONTINGENT UPON ACCEPTANCE OF THE AMENDMENT** upon Applicant's counsel via electronic mail on March 24, 2023 addressed as follows:

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