

ESTTA Tracking number: **ESTTA1278267**

Filing date: **04/13/2023**

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

Proceeding no.	91283023
Party	Plaintiff Greats Brand Inc.
Correspondence address	SUSAN A. SMITH BALLARD SPAHR LLP 1909 K STREET, NW 12TH FLOOR WASHINGTON, DC 20006-1157 UNITED STATES Primary email: TMDocketing@BallardSpahr.com Secondary email(s): SmithS@BallardSpahr.com, HannahJ@BallardSpahr.com, glasserj@BallardSpahr.com 202-661-2247
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Signature	/Jessica L. Hannah/
Date	04/13/2023
Attachments	Consent motion to amend ID and dismiss opposition WHAT BREAKS THE AVERAGE BUILDS THE GREATS.pdf(353332 bytes)

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

Greats Brand Inc.,	:	
	:	
<i>Opposer,</i>	:	
	:	Opposition No. 91283023
v.	:	Serial No. 97257698
	:	
LaQueda Davis,	:	Mark: WHAT BREAKS THE
	:	AVERAGE BUILDS THE GREATS
<i>Applicant.</i>	:	

CONSENT MOTION TO AMEND APPLICATION AND DISMISS OPPOSITION

Applicant LaQueda Davis (“Applicant”), by and through her undersigned counsel, hereby requests that her Application Serial No. 97257698 be amended and that the identification of goods in International Class 25 be revised as follows:

~~Footwear;~~Hats; Headwear; Clothing, namely, shirts, pants, sweatshirts, jackets, hoodies.

Accordingly, the amended recitation will be as follows:

Hats; Headwear; Clothing, namely, shirts, pants, sweatshirts, jackets, hoodies.

Opposer Greats Brand Inc. (“Opposer”) has consented to this amendment, which is clarifying and limiting in nature as required by Trademark Rule 2.71(a).

Applicant and Opposer respectfully request that, upon entry of the amendment, the Board dismiss the opposition with prejudice.

Dated: April 13, 2023

Respectfully submitted,

<p><u>/Susan Smith /</u> Susan A. Smith Ballard Spahr LLP 1900 K Street, N.W. Washington, DC 20017 smiths@ballardspahr.com Phone: 202-661-2247</p> <p><i>Attorneys for Greats Brand Inc.</i></p>	<p><u>/ Michael F. Swartz/</u> John S. Egbert Michael F. Swartz Egbert, McDaniel & Swartz, PLLC 1001 Texas Ave., Suite 1250 Houston, TX 77002 mail@emsip.com, mswartz@emsip.com Phone: 713-224-8080</p> <p><i>Attorneys for LaQueda Davis</i></p>
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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing CONSENT MOTION TO AMEND APPLICATION AND DISMISS OPPOSITION was served on the counsel or parties indicated below on the date and in the manner indicated:

By Electronic Mail (Per Rule 2.119(b)(6))

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Date: April 13, 2023

By: /Jessica L. Hannah/
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