

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500
General Email: TTABInfo@uspto.gov

KGC

August 5, 2024

Opposition No. 91285854

Cognita Holdings Limited

v.

Cognota Inc.

Kevin G. Crennan, Interlocutory Attorney:

Name Change

If the name of a party to an inter partes proceeding before the Board is changed, the title of the Board proceeding may be changed, upon motion, to reflect the change of name, provided that appropriate evidence thereof is made of record in the proceeding. Such evidence may consist, for example, of a copy of the name change document. TRADEMARK TRIAL AND APPEAL BOARD MANUAL OF PROCEDURE (TBMP) § 512.02 (2024).

In view of the “Certificate of Continuance” and “Certificate of Amendment” that were submitted (30 TTABVUE 7-11), Cognota Inc. is **substituted** as Applicant in this proceeding. The Board’s records in, including the caption of, this proceeding have been updated accordingly.

Notwithstanding, though a name change does not have to be recorded with the USPTO's Assignment Center for the Board proceeding title to be changed to reflect the new name, as was done here, filing for recordation is one of the Patent and Trademark Rule 3.85 requirements for an applicant that desires, if it prevails in the proceeding, to have its registration issue in its new name.¹ TBMP § 512.02.

Amendment

On August 2, 2024, Applicant filed a proposed amendment to its application Serial No. 97266711, with Opposer's consent. 30 TTABVUE.

By the proposed amendment, Applicant seeks to amend the recitation of services as follows (proposed additions in bold):

FROM

International Class 41: Educational services, namely, providing training in the fields of instruction design, implementation and operations services for learning and development teams to use to combine, manage, and improve training requests, project planning, and content design processes; Educational services, namely, providing instruction design programs and training in the fields of combining, managing, and improving training requests, project planning, and content design processes for learning and development teams

International Class 42: Software as a service (SAAS) services featuring software and operating systems for providing training and instruction design, learning operations and resource planning software and operating systems tools in the nature of learning and development project management applications, APIs and files to combine, manage, and improve training requests, project and capacity planning, and content design processes; Scientific and technological services, namely, research and development of advanced learning technologies, instruction design, teaching methods, implementation and operations management for use in combining, managing, and improving training requests, project planning, and content design processes for learning and development teams

¹ To be clear, the Board has not changed the current owner of the involved application.

TO

International Class 41: Educational services, namely, providing training in the fields of instruction design, implementation and operations services for learning and development teams to use to combine, manage, and improve training requests, project planning, and content design processes; Educational services, namely, providing instruction design programs and training in the fields of combining, managing, and improving training requests, project planning, and content design processes for learning and development teams; **all of the foregoing expressly excluding educational services and training relating to K-12 classroom and virtual instruction design, and instructional design programs and training for K-12 classroom and virtual instruction**

International Class 42: Software as a service (SAAS) services featuring software and operating systems for providing training and instruction design, learning operations and resource planning software and operating systems tools in the nature of learning and development project management applications, APIs and files to combine, manage, and improve training requests, project and capacity planning, and content design processes; Scientific and technological services, namely, research and development of advanced learning technologies, instruction design, teaching methods, implementation and operations management for use in combining, managing, and improving training requests, project planning, and content design processes for learning and development teams; **all of the foregoing expressly excluding research and development services and software as a service (SAAS) services featuring software and operating systems relating to K-12 classroom and virtual instruction design, and instructional design programs and training for K-12 classroom and virtual instruction**

The amendment is limiting in nature, as required by Trademark Rule 2.71(a).

Because Opposer consents thereto, the amendment is **approved** and **entered**. *See* Trademark Rule 2.133(a).

If the amendment resolves this proceeding, Opposer is **allowed** until **thirty (30) days** from the date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. *See* Trademark Rule 2.106(c).

Opposition No. 91285854

If no response is filed, proceedings will be resumed and dates reset, as appropriate.

Proceedings otherwise remain **suspended**.