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

Proceeding no.	91291348
Party	Defendant Ecolab USA Inc.
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Submission	Motion to Amend Application
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Signature	/Elizabeth Stafki/
Date	12/09/2024
Attachments	SURESIGHT Consented Motion to Amend.pdf(174681 bytes)

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

In re Application Serial No. 90/278,374
Filed: October 26, 2020
Mark: SURESIGHT

HYGIENA LLC

Opposer,

v.

ECOLAB USA INC.

Applicant.

Opposition No. 91291348

**JOINT MOTION FOR AMENDMENT OF APPLICATION AND CONTINGENT
CONSENTED WITHDRAWAL OF OPPOSITION WITH PREJUDICE**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant requests that the Classes 35, 41, and 42 services in the above-captioned application be amended as follows (underlined language in red indicates additions):

Class 35: Preparing business reports in the field of food safety, guest safety, and workplace safety; business auditing in the field of foodservice; professional business consultancy; business management and organization consultancy in the field of consulting in safety and operational performance in relation to workplace safety; business management assistance in the field of consulting in safety and operational performance in relation to workplace safety; all of the aforesaid services for use in the hospitality, restaurant, quick-service restaurant, food specialty retail, and convenience store industries

Class 41: Designing food safety programs for others, namely, developing curriculum and training in the field of food safety; all of the aforesaid services for use in the hospitality, restaurant, quick-service restaurant, food specialty retail, and convenience store industries

Class 42: Conducting food safety testing; providing consulting services in the field of inspections and testing in the fields of food safety, guest safety in the nature of inspecting and testing buildings for cleanliness, and workplace safety, food manufacturing, and public health, for quality control purposes; providing safety auditing to improve workplace safety and productivity; food safety testing and consultation related thereto; testing, analysis and evaluation of the services of others to determine conformity with certification standards; conducting quality control inspections for

compliance with food safety guidelines; all of the aforesaid services for use in the hospitality, restaurant, quick-service restaurant, food specialty retail, and convenience store industries

The amendments limit the current identification of services in the application and do not broaden their scope. *See* 37 C.F.R. 2.71(a) (“The applicant may amend the application to clarify or limit, but not to broaden, the identification of goods and/or services.”). As such, these amendments do not require republication.

These amendments are made pursuant to an Agreement between Applicant and Opposer, who has consented to these amendments. If the amendments are approved by the Board, Opposer, with Applicant’s consent, requests that the opposition be withdrawn with prejudice.

The parties further request that the opposition proceeding be suspended pending disposition of this Joint Motion.

CONCLUSION

Applicant respectfully requests that this request to amend the application be granted in its entirety.

Dated: December 9, 2024

Respectfully submitted,

/Elizabeth Stafki/

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CERTIFICATE OF SERVICE

I hereby certify that on December 9, 2024 a true and correct copy of this Joint Motion for Amendment of Application and Contingent Consented Withdrawal with Prejudice has been served on Opposer's counsel by email:

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