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

Proceeding	92053783
Party	Defendant Caldera Medical, Inc.
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Submission	Other Motions/Papers
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Date	04/10/2012
Attachments	CONSENTEDMOTIONTOAMEND_001.pdf (4 pages)(109846 bytes)

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

CALDERA INTERNATIONAL, INC.,

Petitioner,

vs.

CALDERA MEDICAL, INC.

Registrant.

Cancellation No.: 92053783

Registration Nos.: 2,940,485 and 3,149,598

Mark: CALDERA

CONSENTED MOTION TO AMEND REGISTRATION NO. 2,940,485 AND
WITHDRAW CANCELLATION No. 92053783

Registrant, Caldera Medical, Inc., hereby requests pursuant to 37 CFR §2.133(a) that the Trademark Trial and Appeal Board enter and approve an amendment to its trademark Registration No. 2,940,485 to add the language "all for use in connection with surgical devices" to the existing description of goods so as to narrow it so that it shall now read as follows:

Wound retractors, wound and abdominal wall retractors, and wound approximators, all for use in connection with surgical devices.

Petitioner, Caldera International, Inc., has heretofore consented to the amendment of trademark Registration No. 2,940,485, pursuant to the terms of a fully executed Coexistence Agreement between the parties, and contingent upon entry of the foregoing amendment, Petitioner hereby withdraws its Petition to Cancel Trademark Registration Nos. 2,940,485 and 3,149,598 with prejudice and with Registrant's consent, expressly given below.

Thus, the parties having previously consented to amend Registration No. 2,940,485 and withdraw Cancellation No. 92053783, Registrant hereby requests that Reg. No. 2,940,485 be amended to change the identification of goods in International Class 10 as follows:

from

“Wound retractors, wound and abdominal wall retractors, and wound approximators”
to

“Wound retractors, wound and abdominal wall retractors, and wound approximators, all for use in connection with surgical devices.”

Please charge the fee of \$100 as required by Rule 2.6(a)(11) to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 133126-010100-F001 is referred to when charging any payments or credits for this case.

The undersigned being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or document or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true; and all statements made on information and belief are believed to be true.

CALDERA MEDICAL, INC.

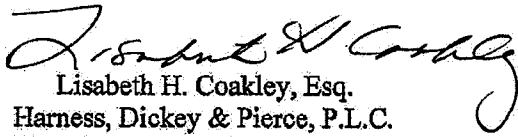
Dated: 4/9/12

By: 
Dov Tamler
Chief Operation Officer

Respectfully submitted,

CALDERA INTERNATIONAL, INC.

By: _____




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Attorney for Petitioner,
Caldera International, Inc.

Dated: 4/9/, 2012

CALDERA MEDICAL, INC.

By: 

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(310) 586-7729

Attorneys for Registrant,
Caldera Medical, Inc.


Dated: 4/10, 2012

CERTIFICATE OF SERVICE

I hereby certify that on April 10, 2012, a true and correct copy of the foregoing
**CONSENTED MOTION TO AMEND REGISTRATION NO. 2,940485 AND
WITHDRAW CANCELLATION NO. 92053783** was served by first-class mail prepaid
upon counsel for Registrant at the following address:

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Date: April 10, 2012


Bobbie Banks