

2.146 petition to the Director

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85106727
REGISTRATION NUMBER	3947380
FORM TEXT	
ATTACHMENT(S)	
ORIGINAL PDF FILE	Motion to Amend Registration_20137139333612.pdf
CONVERTED PDF FILE(S) (3 pages)	\\TICRS\EXPORT16\IMAGEOUT16\851\067\85106727\xml1\PDR0002.jpg
	\\TICRS\EXPORT16\IMAGEOUT16\851\067\85106727\xml1\PDR0003.jpg
	\\TICRS\EXPORT16\IMAGEOUT16\851\067\85106727\xml1\PDR0004.jpg
PAYMENT SECTION	
NUMBER OF CLASSES	1
FEE PER CLASS	100
TOTAL FEES DUE	100
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Matthew H. Swyers, Esq/
SIGNATORY'S NAME	Matthew H. Swyers, Esq.
SIGNATORY'S POSITION	Attorney of Record
SIGNATORY'S PHONE NUMBER	8009068626
DATE SIGNED	08/13/2013
SUBMISSION SIGNATURE	/Matthew H. Swyers/
SIGNATORY'S NAME	Matthew H. Swyers
SIGNATORY'S POSITION	Attorney of Record

SIGNATORY'S PHONE NUMBER	8009068626
DATE SIGNED	08/13/2013
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
TEAS STAMP	USPTO/PDR-10.112.151.172- 20130813093817272030-3947 380-20130813090423231202- CC-8940-20130813090423231 202

Global Format; No Form Number (Rev 8/2009)
OMB No. 0651-0054 (Exp. 09/30/2014)

2.146 petition to the Director To the Commissioner for Trademarks:

The following is submitted for registration number. **3947380** :

FORM INFORMATION

FORM FILE NAME(S)

Original PDF file:

[Motion to Amend Registration_20137139333612.pdf](#)

Converted PDF file(s) (3 pages)

[Attachments-1](#)

[Attachments-2](#)

[Attachments-3](#)

FEE(S)

Fee(s) in the amount of \$100 is being submitted.

SIGNATURE(S)

Declaration Signature

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

Signature: /Matthew H. Swyers, Esq/ Date: 08/13/2013
Signatory's Name: Matthew H. Swyers, Esq.
Signatory's Position: Attorney of Record
Signatory's Phone Number: 8009068626

Submission Signature

Signature: /Matthew H. Swyers/ Date: 08/13/2013
Signatory's Name: Matthew H. Swyers
Signatory's Position: Attorney of Record
Signatory's Phone Number: 8009068626

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the petitioner's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the petitioner in this matter: (1) the petitioner has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the petitioner has filed a power of attorney appointing him/her in this matter; or (4) the petitioner's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

RAM Sale Number: 8940
RAM Accounting Date: 08/13/2013

Serial Number: 85106727
Internet Transmission Date:
TEAS Stamp: USPTO/PDR-10.112.151.172-201308130938172
72030-3947380-20130813090423231202-CC-89
40-20130813090423231202

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board**

Registration No. 3,947,380,
For the mark, ALL FILTERS and Design,

Filter-All, Inc.	:	
	:	
Petitioner,	:	
	:	
vs.	:	Cancellation No. 92055326
	:	
All Filters, LLC,	:	
	:	
Registrant.	:	

MOTION TO AMEND U.S. REGISTRATION NO. 3,947,380

Cancellation No. 92055326 was recently settled by agreement of the parties. Pursuant to the terms of the Settlement Agreement, the Registrant All Filters, LLC (hereinafter "Registrant"), by its counsel, and pursuant to 37 C.F.R. § 2.133(a) and TBMP § 514 *et. seq.*, moves the Trademark Trial and Appeal Board for an order restricting the Registrant's identification of services in the subject U.S. Registration No. 3,947,380 for the mark ALL FILTERS and Design:

Current: Air filters for air conditioning units; Air filters for domestic use; Filters for drinking water; Water filtering units for domestic use; Water filters; Water filtration pitchers sold empty; Water purifying units, for potable water for domestic use; Water treatment equipment, namely, cartridge filtration units; Water treatment equipment, namely, reverse osmosis filtration units; Water treatment equipment, namely, reverse osmosis units; Water treatment equipment, namely, water filtration units; Water treatment equipment, namely, water filtration units and reverse osmosis units.

Proposed: All of the following for residential use only: Air filters for air conditioning units; Air filters for domestic use; Filters for drinking water; Water filtering units for domestic use; Water filters; Water filtration pitchers sold empty; Water purifying units, for potable water for domestic use; Water treatment equipment, namely, cartridge filtration units; Water treatment equipment, namely, reverse osmosis filtration units; Water treatment equipment,

namely, reverse osmosis units; Water treatment equipment,
namely, water filtration units; Water treatment equipment, namely,
water filtration units and reverse osmosis units.

The Applicant's proposed amendment to U.S. Registration No. 3,947,380 to restrict the identification of services is proper according to 37 C.F.R. § 2.71 as it merely limits those services found in the original identification. In view of the foregoing, approval of the amendment by the Board pursuant to 37 C.F.R. § 2.133(a) is believed appropriate. Finally, the Opposer has given its consent to the amendment by its counsel's execution of this Motion below.

Respectfully submitted this 5th day of July.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

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Vienna, VA 22180
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/Melissa M. Martinez/

Melissa M. Martinez, Esq.
Keeling Patents & Trademarks LLC
3310 Katy Freeway, 2nd Floor
Houston, Texas 77007
Attorney for Petitioner

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board**

Registration No. 3,947,380,
For the mark, ALL FILTERS and Design,

Filter-All, Inc.

Petitioner,

vs.

All Filters, LLC,

Registrant.

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Cancellation No. 92055326

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of July, 2013, this Motion to Amend U.S. Registration No. 3,947,380, to Restrict and Limit the Recitation of Goods was electronically filed with the U.S. Trademark Trial and Appeal Board, and a true copy was served via electronic mail and first-class U.S. Mail to the following:

Melissa M. Martinez, Esq.
Keeling Patents and Trademarks, LLC
3310 Katy Freeway, 2nd Floor
Houston, TX 77007

/Matthew H. Swyers/
Matthew H. Swyers