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Filing date: **07/09/2013**

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

Proceeding	92055326
Party	Defendant All Filters LLC
Correspondence Address	MATTHEW H SWYERS THE TRADEMARK COMPANY PLLC 344 MAPLE AVENUE WEST, SUITE 151 VIENNA, VA 22180 UNITED STATES mswyers@thetrademarkcompany.com
Submission	Motion to Amend/Amended Answer or Counterclaim
Filer's Name	Matthew H. Swyers
Filer's e-mail	mswyers@thetrademarkcompany.com
Signature	/Matthew H. Swyers/
Date	07/09/2013
Attachments	Motion to Amend Registration.pdf(107301 bytes)

**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

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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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.	:	Cancellation No. 92055326
	:	
All Filters, LLC,	:	
	:	
Registrant.	:	

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/
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