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

Proceeding	92055486
Party	Defendant ViÑas del Cenit, S.L.
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Submission	Other Motions/Papers
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Date	03/07/2013
Attachments	Motion 3.7.2013.pdf (3 pages)(159899 bytes)

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

In the matter of trademark registration no. 4113153
Mark: VIA CENIT
Registered: March 13, 2012

.....)
Zenith Vineyard, L.L.C.)
Petitioner,) Cancellation No. 92055486
v.)
Viñas del Cenit, S.L.)
Registrant.)
.....)

CONSENTED MOTION TO AMEND IDENTIFICATION OF GOODS

COMES NOW the Registrant by and through counsel, and hereby submits this motion to the Trademark Trial and Appeal Board (the “Board”) to amend the above-referenced Trademark Registration, as follows:

Pursuant to a Coexistence Agreement executed on December 20, 2012, Registrant respectfully requests that the goods in its VIA CENIT Registration be amended from “wine” to “wine from Spain.”

The requested amendment is within the scope of the goods currently identified in the Registration, and Petitioner’s consent to the Amendment is of record in the February 14, 2013 motion submitted to the Board.

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 own knowledge are true; and all statements made on information and belief are believed to be true. Registrant respectfully asks that the Amendment to the Identification of Goods be approved and that the Petition to Cancel be withdrawn, with prejudice, as requested in the February 14, 2013 Consented Motion.

Respectfully submitted,

Viñas del Cenit, S.L.

By: 

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Attorney for the Registrant
Viñas del Cenit, S.L.
New York Bar member

Date: 3/7/13

CERTIFICATE OF SERVICE

I, Ryan Peisner, hereby certify that on this 7th day of March, 2013, I served the foregoing Consented Motion to Amend Identification of Goods via first class mail, postage prepaid, on the following:

Timothy Ramey
Zenith Vineyard LLC
5657 Zena Road NW
Salem, OR 97304

By: 
Ryan Peisner