ESTTA Tracking number: **ESTTA802341**

Filing date: **02/18/2017**

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

Proceeding	92056649
Party	Defendant Around the Clock Homecare Group, LLC
Correspondence Address	MICHAEL A ESSIEN ESSIEN LAW OFFICE PLLC 245 RUTH STREET NORTH, SUITE 201 SAINT PAUL, MN 55119 UNITED STATES messien@essienlaw.com
Submission	Motion to Amend/Amended Answer or Counterclaim
Filer's Name	Michael A. Essien
Filer's e-mail	messien@essienlaw.com
Signature	s/Mike Essien/
Date	02/18/2017
Attachments	ATC v Around the clock_Amendment_021817.pdf(17873 bytes)

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

IN THE MATTER OF Trademark Registration No. 4,135,525
For the Mark: AROUND THE CLOCK HOME CARE

ATC HEALTHCARE SERVICES, INC **Petitioner,** **v.** **AROUND THE CLOCK HOME CARE GROUP, LLC** **Respondent**	**Cancellation No: 92056649**

REGISTRANT'S MOTION TO AMEND REGISTRATION

Pursuant to 37 C.F.R. §§2.133, 2.71 and § 514 of the Trademark Board Manual of Procedures, Respondent and Registrant, AROUND THE CLOCK HOME CARE, LLC ("AROUND THE CLOCK"), by and through its attorney, hereby respectfully moves the Board to amend the identification of goods and services for the subject Federal Trademark Registration Number 4,135,525 for the mark "AROUND THE CLOCK HOME CARE" to meet the Settlement Agreement and Board Order.

Respondents request the following amendment to Registration No. 4,135,525 (proposed new language underlined):

Home health care services excluding medical or palliative services.

Such that the identification of goods and services be amended to state:

Home health care services excluding medical or palliative services.

As grounds for this motion, Respondent asserts that the above proposed amendment accurately reflect the Settlement Agreement between the Parties and as stipulated in the Civil Action – 14-CV-1162 (DSD/HB). Further in compliance with 37 C.F.R. §2.71, the proposed amendment limits and in no way broadens the identification of goods and services.

WHEREFORE, Respondent requests the Board to amend the subject registration in the manner described above.

Respectfully submitted,

Dated: February 18, 2017

By ___/Mike Essien/_____
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Attorney for Respondent,
Around the Clock Home Care Group, LLC.

CERTIFICATE OF TRANSMITTAL – ESTTA

I hereby certify that this correspondence is being electronically transmitted through on-line TTAB filing systems, ESTTA on February 18, 2017

/Mike Essien/
Michael A. Essien

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served via both email to JMulrooney@kwbhlaw.com, and mmonyok@kwbhlaw.com this 18th day of February 2017 upon the following:

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Counsel for Petitioner

Dated: February 18, 2017

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