

ESTTA Tracking number: **ESTTA612252**

Filing date: **06/26/2014**

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

Proceeding	92058914
Party	Plaintiff Maidenform LLC
Correspondence Address	LAURA POPP-ROSENBERG FROSS ZELNICK LEHRMAN & ZISSU 866 UNITED NATIONS PLAZA NEW YORK, NY 10017 UNITED STATES lpopp-rosenberg@fzlz.com, jinsley-pruitt@fzlz.com
Submission	Other Motions/Papers
Filer's Name	Laura Popp-Rosenberg
Filer's e-mail	lpopp-rosenberg@frosszelnick.com
Signature	/Laura Popp-Rosenberg/
Date	06/26/2014
Attachments	Motion On Consent (F1476560x96B9E).pdf(109813 bytes)

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

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MAIDENFORM LLC,

Petitioner,

- against -

B CHIC FASHION AND STYLE,

Registrant.
-----x

Cancellation No. 92058914

MOTION ON CONSENT

- (a) TO PERMIT POST-REGISTRATION AMENDMENT;**
(b) TO SUSPEND CANCELLATION PROCEEDING; and
(c) FOR CONDITIONAL DISMISSAL OF CANCELLATION PROCEEDING

Petitioner Maidenform LLC (“Petitioner”) and registrant B Chic Fashion and Style (“Registrant”) hereby move to amend the registration that is the subject of this cancellation proceeding; to suspend this cancellation proceeding pending the Board’s review of the amendment; and to dismiss the cancellation proceeding conditioned upon acceptance of the amendment.

Registrant requests that the recitation of International Class 25 goods in Registration No. 4,218,400 be amended to read as follows (new text in **bold underlined** text; deletions stricken through):

**Special occasion apparel, namely, Belts;
Bikinis; Dresses; Jackets; Pants; Shirts;
Shoes; Shorts**

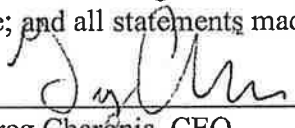
Opposer consents to the proposed amendment. Since the proposed amendment is in the nature of limitations, no re-publication should be required, and the amendment therefore should be permissible. The declaration pursuant to 37 C.F.R. § 2.20, as required under 37 C.F.R. §

2.173(b), is provided below.

The parties also jointly move to suspend this cancellation proceeding pending review of the proposed amendment. The parties further consent that upon the approval and entry of the proposed amendments, this opposition proceeding be dismissed.


Declaration Supporting Motion to Amend

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.

By: 
Greg Charonis, CEO
B. Chic Fashion and Style

Dated: June 26, 2014

Respectfully submitted this 26th day of June, 2014:

By: 
Greg Charonis, CEO
B Chic Fashion and Style
1077 Alameda De Las Pulgas
Belmont, CA 94002
Telephone: (650) 759-9948
Email: gnc20@hotmail.com

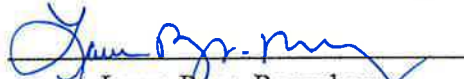
On behalf of Registrant

By: 
Laura Popp-Rosenberg
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza
New York, NY 10017
Telephone: (212) 813-5900
Email: lpopp-rosenberg@fzlj.com

Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of June, 2014, I caused a true and correct copy of the foregoing MOTION ON CONSENT (a) TO PERMIT POST-REGISTRATION AMENDMENT; (b) TO SUSPEND CANCELLATION PROCEEDING; and (c) FOR CONDITIONAL DISMISSAL OF CANCELLATION PROCEEDING to be served by email on the Registrant at gnc20@hotmail.com, with Registrant's consent.


Laura Ropp-Rosenberg