

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

VV/wbc

Mailed: February 25, 2016

Cancellation No. 92059833

Avid Airline Products of Rhode Island, Inc.

v.

Avid Technology, Inc.

Wendy Boldt Cohen, Interlocutory Attorney:

On February 16, 2016, Respondent filed a proposed amendment to its Registration No. 3905003, in accordance with the parties' settlement agreement.¹

¹ The Board notes that Respondent has copied its proposed amendment to the counsel for the Petitioner. However, as provided in TBMP §113.03, the certificate of service contain "a statement signed by the filing party, or by its attorney or other authorized representative, clearly stating the date and manner in which service was made. The statement should also specify the name of each party or person upon whom service was made, and the address. The statement must appear on, or be securely attached to, the document being filed. If the statement is on a separate sheet attached to the filing, it should clearly identify the submission and proceeding to which it relates. The suggested format for certificate of service as provided in TBMP 113.03 appears as indicated below:

I hereby certify that a true and complete copy of the foregoing (insert title of submission) has been served on (insert name of opposing counsel or party) by mailing said copy on (insert date of mailing), via First Class Mail, postage prepaid (or insert other appropriate method of delivery) to: (name and address of opposing counsel or party).

Signature _____

Date _____

To expedite matters, the amendment may be found at <http://ttabvueint.uspto.gov/ttabvue/v?pno=92059833&pty=CAN&eno=18>.

By the proposed amendment, Respondent seeks to amend the identification of goods in International Class 9 of the involved registration as follows:²

From:

Computer hardware; apparatus for recording, transmission or reproduction of images, sound and video; cables and fibres for the transmission of images, sound and video; computer peripherals; computer software for editing images, sound and video; computer software for processing digital music files; computer software for use in relation to digital animation and special effects of images; computer storage devices, namely, hard disk drives, solid state drives, and computer storage systems comprised of one or more computer hard drives; loudspeakers; microphones; amplifiers; headphones; music-composition software; and sound mixers

To:

Computer hardware; apparatus for recording, transmission or reproduction of images, sound and video; cables and fibres for the transmission of images, sound and video; computer peripherals; computer software for editing images, sound and video; computer software for processing digital music files; computer software for use in relation to digital animation and special effects of images; computer storage devices, namely, hard disk drives, solid state drives, and computer storage systems comprised of one or more computer hard drives; loudspeakers; microphones; amplifiers; headphones **for the professionals and consumer media industry**; music-composition software; and sound mixers.

Although the amendment is otherwise acceptable, it was (1) not accompanied by the proper fee under Trademark Rule 2.6; and (2) not verified or supported by a declaration under Trademark Rule 2.20. *See* Trademark Rules 2.6(a)(11), 2.133(a) and 2.173(b).

Respondent is allowed thirty days from the mailing date of this order to submit the required fee and declaration in support of the amendment, failing which said amendment will be given no further consideration.

² The bold wording represents Respondent's proposed amendment.

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Proceedings are otherwise suspended.