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

Proceeding	92063013
Party	Plaintiff Meridian Institute
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Signature	/Alexander Garcia/
Date	07/28/2016
Attachments	MOTION - Amend of Reg and Withdrawal of Pet.pdf(42494 bytes)

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

MERIDIAN INSTITUTE,

Petitioner,

v.

MERIDIAN HEALTH SYSTEM, INC.,

Registrant.

Cancellation No.: 92063013

**AMENDMENT OF REGISTRATION AND
CONDITIONAL WITHDRAWAL OF
CANCELLATION WITHOUT
PREJUDICE**

Registration No.: 4026862

**AMENDMENT OF REGISTRATION AND CONDITIONAL WITHDRAWAL OF
CANCELLATION WITHOUT PREJUDICE**

Pursuant to 37 C.F.R. § 2.133, Registrant, Meridian Health System, Inc. hereby requests to amend the services covered in Class 35 of U.S. Reg. No. 4026862 as follows:

Class 35: Business advisory and consultancy services in the fields of organizational culture design, talent management, leadership development, team member engagement, process improvement methodology, as well as service excellence and loyalty; all of the foregoing excluding services in the fields of public policy research, consultancy, and strategic planning as well as alternative dispute resolution, conflict resolution, and facilitation services, namely, assisted and facilitated negotiations and mediations

Following these amendments, the final description of services in Class 35 should read as follows:

Class 35: Business advisory and consultancy services in the fields of organizational culture design, talent management, leadership development, team member engagement, process improvement methodology, as well as service excellence and loyalty; all of the foregoing excluding services in the fields of public policy research, consultancy, and strategic planning as well as alternative dispute resolution, conflict resolution, and facilitation services, namely, assisted and facilitated negotiations and mediations

As reflected by the signature of Petitioner's counsel below, Petitioner consents to these amendments. Any fees associated with this amendment should be withdrawn from Deposit Account No. 502278.

Registrant submits that the foregoing amendments do not add services to or broaden the scope of services listed in the registration, but instead narrow them. As such, neither republication of the mark nor further examination of the mark is required as a result of these amendments. Accordingly, Registrant respectfully requests that the Board approve the amendments.

Pursuant to 37 C.F.R. § 2.114(c), as reflected by the signature of Petitioner's counsel, Petitioner hereby withdraws this Petition for Cancellation, *without prejudice*, conditioned, however, on the acceptance and entry of the amendments to U.S. Reg. No. 4026862. No Answer has been filed in this proceeding. Even so, as reflected by the signature of Registrant's counsel, Registrant consents to the withdrawal of the Petition for Cancellation without prejudice.

Registrant further requests the Board set aside the Notice of Default entered on Jun 28, 2016, At that time, the parties had reached substantial agreement on the consent terms. Pursuant to the signature of Petitioner's counsel below, Petitioner consents to setting aside the Notice of Default.

WHEREFORE, Registrant and Petitioner move that the subject registration be amended as set forth above and that the Petition for Cancellation be dismissed without prejudice.

Respectfully submitted,

PERKINS COIE LLP

/s/ Alexander Garcia
Alexander J.A. Garcia
Perkins Coie LLP
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Denver, Colorado 80202-5255
Attorneys for Petitioner

Dated: July 28, 2016

**LAW OFFICES OF ROBERT F.
ZIELINKSI, LLC**

/s/ Robert F. Zielinski
Robert F. Zielinski
Law Offices of Robert F. Zielinski LLC
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Attorneys for Registrant

Dated: July 28, 2016

CERTIFICATE OF SERVICE

I hereby certify that this filing is being served via electronic mail to rfzielinski@rfzlaw.com, trademarks@rfzlaw.com, dehret@rfzlaw.com, by agreement of the parties, to Robert F. Zielinski, Counsel for Registrant on this 28th day of July 2016.

/s/ Alexander Garcia _____

Alexander J.A.Garcia