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Filing date: **09/11/2018**

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

| | |
|------------------------|--|
| Proceeding | 92066399 |
| Party | Defendant InSpa Corporation and CMH Partners LLC |
| Correspondence Address | LEIGH F GILL IMMIX LAW GROUP PC 600 NW NAITO PARKWAY, SUITE G PORTLAND, OR 97209 UNITED STATES leigh.gill@immixlaw.com, ipdocket@immixlaw.com 503-802-5533 |
| Submission | Other Motions/Papers |
| Filer's Name | Leigh F. Gill |
| Filer's email | leigh.gill@immixlaw.com, ipdocket@immixlaw.com |
| Signature | /Leigh F. Gill/ |
| Date | 09/11/2018 |
| Attachments | Consented Motion for Amendment - InSpa - 20180911.pdf(99865 bytes) |

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

| | | |
|---|---|---------------------------|
| Migros-Genossenschafts-Bund |) | |
| Petitioner, |) | |
| |) | Opp. No. 92066399 |
| v. |) | Reg. No. 3,381,209 |
| |) | Mark: INSPA |
| InSpa Corporation & CMH Partners LLC |) | |
| Registrant. |) | |
| _____ |) | |

CONSENTED MOTION FOR AMENDMENT

Registrant requests to amend the description of Registrant’s goods recited in Reg. No. 3,381,209. The current description reads as follows:

Skin and body care products, namely, skin cleansing lotions and soap bars; skin toning lotions; skin moisturizers and night moisturizing creams; eye moisturizers; hand creams; non-medicated creams used for firming and repair of skin; sun screen preparations; body washes; bubble bath, bath salts, bath oils for cosmetic purposes; foot cleansing scrubs.

The requested amendments to the description of Registrant’s goods are as follows, noting the requested, amended language in ***bold, italics***:

Skin and body care products, namely, skin cleansing lotions and soap bars; skin toning lotions; skin moisturizers and night moisturizing creams; eye moisturizers; hand creams; non-medicated creams used for firming and repair of skin; sun screen preparations; body washes; bubble bath, bath salts, bath oils for cosmetic purposes; foot cleansing scrubs, ***all of the foregoing sold through spas or salons.***

This amendment restricts the scope of good to a more specific channel of commerce which Registrant believes is distinct from those channels through which Petitioner sells its goods

under its applied-for mark.

Concurrent with this motion, Registrant has submitted a record to the Assignments Recordation Branch, documenting the assignment of Reg. No. 3,381,209 from InSpa Corporation to CMH Partners LLC.

Dated: September 11, 2018

Respectfully submitted,

/s/ Leigh F. Gill

Leigh F. Gill

Immix Law Group PC

600 NW Naito Parkway, Suite G

Portland, OR 97209

leigh.gill@immixlaw.com

Counsel for Registrant and Added Party

InSpa Corporation and CMH Partners LLC

With Consent By:

/s/ Alexandra T. MacKay

Alexandra T. MacKay

STITES & HARBISON, PLLC

401 Commerce Street, Suite 800

Nashville, TN 37219-2376

alexandra.mackay@stites.com

Counsel for Petitioner

Migros-Genossenschafts-Bund

CERTIFICATE OF FILING AND SERVICE

I hereby certify that a true and complete copy of this CONSENTED MOTION FOR AMENDMENT is being electronically filed with the TTAB and is being served on opposing counsel on this 11 day of September, 2018, via email and First Class Mail, postage prepaid to Counsel for Petitioner, namely:

Alexandra T. MacKay
STITES & HARBISON, PLLC
401 Commerce Street, Suite 800
Nashville, TN 37219-2376
alexandra.mackay@stites.com

/s Leigh F. Gill
Leigh F. Gill