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

Proceeding	92070411
Party	Defendant Team IP Holdings, LLC
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Date	10/23/2019
Attachments	2019.10.23 Stipulated Motion on Consent to Amend Application.pdf(157787 bytes)

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

LUCID SOUND, INC.	§	
	§	
Petitioner,	§	
	§	Cancellation No. 92070411
v.	§	Registration No. 5,365,711
	§	For Mark: LUCID AUDIO
TEAM IP HOLDINGS, LLC	§	Date Registered: December 26, 2017
	§	
Registrant.	§	

Stipulated Motion on Consent to Amend and Suspend Proceeding

Pursuant to the Trademark Consent and Coexistence Agreement between the parties, Registrant hereby submits this stipulated motion to amend the subject registration and suspend the proceeding pursuant to the terms set forth herein.

Registrant requests that the goods and services covered by the subject registration be amended to the following, with limiting and narrowing additions noted in **bold** and deletions noted in ~~strikethrough~~:

Class 9: *headphones; wireless headphones; ear buds; wireless ear buds; earphones; **all of the foregoing categories for hearing protection and/or sound amplification to enhance hearing and/or provide environmental or situational sound awareness, and excluding gaming headsets adapted for use in playing video games or uses other than for providing hearing enhancement and/or environmental or situational sound awareness***~~sound amplifiers; sound mixers with integrated amplifiers; sound projectors; sound systems comprising remote controls, amplifiers, loudspeakers and components therefor; wireless speakers; electronic components, namely, biometric sensors, proximity sensors; electronic apparatus with multimedia functions for use with all of the aforesaid goods, namely, multifunctional electronic devices for displaying, measuring and transmitting biometric data; sensors for scientific use, for the purposes of gathering biometric data; hearing muffs, namely, sound amplifiers to enhance hearing and/or for sound protection; and personal sound amplification products, namely, PSAPs intended to amplify sound for non-hearing impaired individuals, namely, to enhance hearing and/or provide environmental or situational sound awareness; wireless digital media streaming devices for use in connection with the aforementioned sound protection and sound amplification products; power cell batteries; and~~

Class 10: *hearing enhancement products, namely, hearing protection muffs in the nature of ear plugs for noise reduction; ear plugs for medical purposes; and assistive listening devices for the hearing impaired*

Registrant has secured Petitioner's consent and stipulation to this Motion. It is respectfully submitted that these amendments do not require republication as the amendments to the description of goods narrow rather than broaden the scope of the registration.

Also pursuant to the Trademark Consent and Coexistence Agreement between the parties, Petitioner will submit to the Examining Attorney an amendment to the description of the goods covered by its pending applications and the consent from Registrant to overcome the rejections of the applications in view of the subject registration.

If Registrant's amendments are approved by the Board, and Petitioner's amendments approved by the Examining Attorney, Petitioner will withdraw the cancellation with prejudice within 15 business days of the end of the publication period of its pending applications.

The parties further request that the cancellation proceeding be suspended pending disposition of this motion.

Respectfully submitted,

DATED: October 23, 2019

By: /S. Roxanne Edwards/
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ATTORNEY FOR Registrant
Team IP Holdings, LLC

CONSENTED TO:

By: /s/ Whitney E. Peterson, Esq.
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ATTORNEY FOR PETITIONER
Lucid Sound, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of this Stipulated Motion on Consent to Amend and Suspend Proceeding has been served upon the following counsel for Petitioner on October 23, 2019, via electronic mail:

Whitney E. Peterson, Esq.
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/S. Roxanne Edwards/ _____
S. Roxanne Edwards