

ESTTA Tracking number: **ESTTA1185478**

Filing date: **01/19/2022**

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

Proceeding no.	92076238
Party	Defendant Artlist Sarl
Correspondence address	CAITLIN DELANEY THE NILSON LAW GROUP, PLLC 10 EAST 40TH ST SUITE 3310 NEW YORK, NY 10016 UNITED STATES Primary email: cdelaney@nilsonlaw.com Secondary email(s): trademark@nilsonlaw.com 212-687-1155
Submission	Motion to Amend Registration (Requires a Fee and a Declaration)
Filer's name	Caitlin Delaney
Filer's email	cdelaney@nilsonlaw.com, trademark@nilsonlaw.com
Declaration and signature of registrant or attorney for registrant	The signatory 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 submission or any registration resulting therefrom, declares that the facts set forth above are true, all statements made of his or her own knowledge are true, and all statements made on information and belief are believed to be true. /Caitlin Delaney/
Date	01/19/2022
Attachments	Revised Motion to Amend Description and Suspend Proceedings Artlist L td. v. Artlist SARL Exec.pdf(171734 bytes)

Registration subject to the submission

Registration no.	4903785	Registration date	02/23/2016
Register	Principal		
Registrant	ARTLIST SARL 157 RUE DU TEMPLE PARIS, 75003 FRANCE		

Goods/services subject to the submission

<p>Class 035. First Use: 2014/07/09 First Use In Commerce: 2014/07/09 All goods and services in the class are requested, namely: On-line art galleries; On-line ordering services featuring art and art-related products and services; On-line retail consignment stores featuring art and art-related products and services; On-line retail store services featuring art and art-related products and services; On-line trading services in which seller posts products to be auctioned and bidding is done via the Internet; On-line wholesale store services featuring art and art-related products and services; Operating an on-line shopping site in the field of art and art-related products and services; Operating on-line marketplaces featuring art and art-related products and services; Online service for connecting art collectors with artists for the purpose of facilitating purchases; Operating an on-line marketplace featuring artwork and luxury goods; Advertising and promoting the goods and services of artists; promoting the goods and services of others; Special event planning for commercial, promotional or advertising purposes; On-line auctioneering services via the Internet; On-line buyers</p>

guide service providing information in the field of art and art-related products and services

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

In the matter of trademark Registration No.: 4903785
Registration Date: 02/23/2016
For the mark: **ARTLIST**

ARTLIST LTD.,)	
)	
Plaintiff,)	
vs.)	Cancellation No. 92076238
)	
ARTLIST SARL (now known as ARTLIST SAS ¹),)	
)	
Defendant.)	
)	
)	

**REVISED CONSENT MOTION TO AMEND DESCRIPTION AND SUSPEND
PROCEEDINGS**

Pursuant to § 514 of the *Trademark Trial and Appeal Board Manual of Procedure* and 37 CFR §2.133, the parties respectfully submit this Revised Consent Motion to Amend the Description of services in Class 35 in the subject mark registration as follows:

~~“On-line art galleries relating to the fashion industry for artistic directors, illustrators, photographers, stylists, make-up artists, hair stylists, manicurists, and set designers; On-line ordering services featuring art and art related products and services; On-line retail consignment stores featuring art and art related products and services; On-line retail store services featuring art and art related products and services; On-line trading services in which seller posts products to be auctioned and bidding is done via the Internet; On-line wholesale store services featuring art and art related products and services; Operating an on-line shopping site in the field of art and art related products and services; Operating on-line marketplaces featuring art and art related products and services; Online service for connecting art collectors with artists for the purpose of facilitating purchases; Operating an online marketplace featuring artwork and luxury goods; Advertising and promoting the goods and services of artists; promoting the goods and services of others;~~

¹ On December 20, 2021, Registrant filed with the USPTO Assignment Division documentation reflecting the June 30, 2017 Entity Conversion from Artlist SARL (“Société à responsabilité limitée” to Artlist SAS (“Société par actions simplifiée”), which is awaiting the Reel/Frame number for the recordation of ETAS ID: TM696292.

~~Special event planning for commercial, promotional or advertising purposes; On-line auctioneering services via the Internet; On-line buyers guide service providing information in the field of art and art related products and services.”~~

The Amended Description of services in Class 35 of the subject mark registration, once amended, shall read as follows:

“On-line art galleries relating to the fashion industry for artistic directors, illustrators, photographers, stylists, make-up artists, hair stylists, manicurists, and set designers; Advertising and promoting the goods and services of artists; promoting the goods and services of others.”

The parties also respectfully request that the Cancellation Proceeding be suspended, pending entry of the amendment of the subject mark registration. Inasmuch as a consented motion to amend is pending, the Board shall not issue a notice of default, per TBMP Section 514.02.

Artlist SARL (now known as ARTLIST SAS) has secured the express consent of all other parties to this proceeding, for entry of this Amendment with Consent, in accordance with TBMP Section 514.02.

Declaration

The signatory 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 submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

[signature page follows]

Signed: January 19, 2022

THE NILSON LAW GROUP, PLLC

By:  _____

Caitlin Delaney
10 East 40th Street, Suite 3310
New York NY 10016
Telephone: (212) 687-1155
Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this submission has been served upon all parties,
at their address of record by Email on this date.

By:  _____

Caitlin Delaney
10 East 40th Street, Suite 3310
New York NY 10016
Telephone: (212) 687-1155
Attorneys for Defendant