

ESTTA Tracking number: **ESTTA1302201**

Filing date: **08/07/2023**

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

Proceeding no.	92079957
Party	Plaintiff Point380, Inc.
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Submission	Motion to Join/Substitute Party
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Date	08/07/2023
Attachments	Executed - Motion To Substitute Party.pdf(291268 bytes)

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

In the Matter of Reg. No. 3,391,032
Registered on March 4, 2008

<p>OPTERA, INC.</p> <p>Petitioner,</p> <p>v.</p> <p>PLANT DEVELOPMENT SERVICES, INC.,</p> <p>Registrant.</p>	<p>Cancellation No. 92079957</p> <p><u>MOTION TO SUBSTITUTE PARTY</u></p>
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Pursuant TBMP § 512.02, Optera, Inc., through undersigned counsel, hereby moves to substitute itself as the Petitioner in this proceeding. Petitioner has obtained the consent of Registrant to file this Motion.

Effective April 6, 2023, Petitioner Point380, Inc. changed its name to Optera, Inc. The change of name from Point380, Inc. to Optera, Inc. was recorded with the United States Patent & Trademark Office against the Petitioner's pending application Serial No. 90/667,566 (the "Application") on June 21, 2023 at Reel/Frame 8106/0001. Attached hereto as **Exhibit A** is a true and correct copy of this assignment filing and the name change document.


Accordingly, Optera, Inc., with address of 1215 Spruce Street, Suite 201, Boulder, CO 80302, is the owner of the Application, and the proper party in this cancellation proceeding.

WHEREFORE, Optera, Inc. requests the Board grant its motion and it be substituted as Petitioner in the above proceeding.

[SIGNATURES ON NEXT PAGE]

Respectfully submitted,

DORSEY & WHITNEY LLP

By:  _____

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**Attorney for Petitioner
Petitioner Optera, Inc.**

Date: 8/7/23 _____

BREINER & BREINER, L.L.C.,

By:  _____

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**Attorney for Registrant
Plant Development Services, Inc.**

Date: 8/4/23 _____

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **MOTION TO SUBSTITUTE PARTY** has been served upon Registrant's counsel on August 7, 2023, via email as follows:

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By: 

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