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

Proceeding	91226113
Party	Plaintiff VEVO LLC
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 86/325,390  
Mark: VIVOSOCIAL

VEVO LLC,

Opposer,

- against -

ALEXEI NIKOLAEVICH FOMINE,

Applicant.

Opposition No. 91226113

**MOTION ON CONSENT TO PERMIT POST-PUBLICATION AMENDMENT OF  
APPLICATION; TO SUSPEND OPPOSITION; and CONDITIONALLY  
WITHDRAW OPPOSITION**

Vevo, LLC (“Opposer”) and Applicant Alexei Nikolaevich Fomine (“Applicant”) hereby move to (a) allow Applicant to amend the description of goods for the mark VIVOSOCIAL in Application Ser. No. 86/325,390, which application is the subject of the above-captioned opposition proceeding; (b) to suspend the opposition pending the Board’s review of the amendment; and (c) to withdraw the opposition conditioned upon acceptance of the amendment. For its amendment, Applicant proposes, with Opposer’s consent, to narrow the identified goods in Application Ser. No. 86/325,390 as follows: “Providing consumer information services and making referrals in the field of entertainment services in the nature of social media focused marketing and advertising for products, services, events, activities, facilities and locations; **none of the foregoing including music-related products, services, events, activities, facilities or locations.**”

The parties believe the amendment to be appropriate in that it limits the identification of goods without broadening it pursuant to TMEP 1402.06 and 37 C.F.R. § 2.71(a), and, thus, no re-publication would be required.

The parties also jointly move to suspend the above-referenced opposition pending review of the proposed amendments. The parties further consent to the withdrawal of the opposition without prejudice upon the approval and entry of the proposed amendments.

Dated: New York, New York  
August 4, 2016

FROSS ZELNICK LEHRMAN & ZISSU, P.C.      IP ATTORNEYS GROUP, LLC

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