

ESTTA Tracking number: **ESTTA1041195**

Filing date: **03/10/2020**

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

Proceeding	91253119
Party	Defendant Vivid Robotics, Inc
Correspondence Address	PRIYA SINHA CLOUTIER CLOUTIER ARNOLD JACOBOWITZ 2701 1ST AVE, SUITE 200 SEATTLE, WA 98121 UNITED STATES becky@cajlawyers.com, priya@cajlawyers.com 206-866-3230
Submission	Motion to Amend/Amended Answer or Counterclaim
Filer's Name	Priya Sinha Cloutier
Filer's email	priya@cajlawyers.com
Signature	/Priya Sinha Cloutier/
Date	03/10/2020
Attachments	Motion_to_Amend03102020.pdf(20881 bytes) Picnic_File_03_10202.pdf(1131702 bytes)

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8 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
9 TRADEMARK TRIAL AND APPEAL BOARD
10

11 PICKNIK, LLC

Opposition No. 91253119

12 Opposer,

13 vs.

**MOTION TO AMEND ANSWER AND
AMENDED AFFIRMATIVE DEFENSES
APPLICATION SERIAL NO. 88493424
MARK: PICNIC**

14 VIVID ROBOTICS, INC.

15 Applicant
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18 Applicant, Vivid Robotics, Inc., by and through its undersigned counsel, hereby requests the
19 TTAB for leave to rename its Answer and Counterclaims to and Answer and Amended
20 Affirmative Defenses. The Opposer has agreed to the allowing the amendment. As no answer is
21 due by the Opposer and discovery began on 03 March 2020, the Opposer has not been
22 prejudiced.
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26 MOTION TO AMEND ANSWER AND AMENDED AFFIRMATIVE DEFENSES APPLICATION SERIAL NO.
88493424 MARK: PICNIC - 1

CLOUTIER ARNOLD JACOBOWITZ PLLC
2701 1ST AVE., STE 200
SEATTLE, WASHINGTON 98121

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2 DATED: 03 March 2020
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4

5 Respectfully submitted,
6 Cloutier Arnold Jacobowitz PLLC

7 By: /Priya Sinha Cloutier/
8 Priya Sinha Cloutier, WSBA #37407
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26 MOTION TO AMEND ANSWER AND AMENDED AFFIRMATIVE DEFENSES APPLICATION SERIAL NO.
88493424 MARK: PICNIC - 2

CLOUTIER ARNOLD JACOBOWITZ PLLC
2701 1ST AVE., STE 200
SEATTLE, WASHINGTON 98121

1 **CERTIFICATE OF SERVICE**

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3 I hereby certify that on 10 March 2020, the forgoing was filed electronically with

4 the TTAB and emailed to:

5

6

7 CAROLYN JUAREZ
8 NEUGEBOREN O'DOWD PC
9 1227 SPRUCE ST., STE. 200
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26 MOTION TO AMENDANSWER AND AMENDED AFFIRMATIVE DEFENSES APPLICATION SERIAL NO.
88493424 MARK: PICNIC - 3

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11 PICKNIK, LLC

12 Opposer,

13 vs.

14 VIVID ROBOTICS, INC.

15 Applicant
16

Opposition No. 91253119

**ANSWER AND AMENDED
AFFIRMATIVE DEFENSES
APPLICATION SERIAL NO. 88493424
MARK: PICNIC**

17
18 **APPLICANT'S ANSWER TO NOTICE OF OPPOSITION**

19 Applicant, Vivid Robotics, Inc., for its answer to the Notice of Opposition filed by PickNiK,
20 LLC against application for registration of the trademark Picnic, Serial No. 88493424, filed June
21 28, 2019, and published in the Official Gazette of October 29, 2019, by and through its
22 undersigned counsel, hereby pleads and avers as follows:
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26 ANSWER AND AMENDED AFFIRMATIVE DEFENSES APPLICATION SERIAL NO. 88493424 MARK:
PICNIC - 1

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