

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Baez

Mailed: March 26, 2002

Opposition No. 91108021

AMERICAN STORES COMPANY &  
LUCKY STORES, INC.

v.

TRUE BLUE, INCORPORATED

**Peter Cataldo, Interlocutory Attorney**

On January 22, 2002, the parties filed applicant's proposed amendment to its application Serial No. 75/141,074, and an stipulation to dismiss of the opposition without prejudice, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods **from** "bottled drinking water" **to** "bottled drinking water, sold or distributed in channels of trade other than supermarkets, convenience stores, or combination supermarket/drug stores."

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed without prejudice.

***By the Trademark Trial  
and Appeal Board***