

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

Baez

Mailed: May 4, 2004

Opposition No. 91112850
Opposition No. 91112851
Cancellation No. 92041048
(consolidated)

VIACOM INTERNATIONAL INC.

v.

CHANNEL M, INC.,
substituted as party
defendant by assignment from
Minataur Productions, Inc.

Peter Cataldo, Interlocutory Attorney

On March 26, 2004, applicant filed a proposed amendment to its application Serial No. 75192629, with opposer's consent.¹ On March 29, 2004, applicant filed a consent motion to suspend of proceedings and to extend time for discovery and testimony periods.

By the proposed amendment applicant seeks to amend the identification of goods in Class 35 as follows:

"Providing television advertising for others via closed-circuit television which is not available for home viewing or viewing in educational institutions; production and distribution of television commercials for closed-circuit television which are not available for home viewing or viewing in

¹ It is noted that applicant/respondent has also filed a motion to amend its registration that is the subject of consolidated Cancellation No. 92041048. That proposed amendment is addressed in a separate order.

educational institutions; services relating to promotional campaigns and events, namely, development and dissemination of advertising matter, samples and promotional products for others."

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).

If this resolves the dispute herein, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).

Applicant's March 29, 2004 consented motion to suspend is **granted. Proceedings are suspended.**
