

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

PWC

Mailed: March 19, 2002

Opposition No. 91-121,890

ROADGEAR, INC.

v.

SHOPKO STORES, INC.

**Peter Cataldo, Interlocutory Attorney**

On November 29, 2001, the parties filed applicant's proposed amendment to its application Serial No. 75/822,384, with opposer's consent. On December 27, 2001, the parties filed opposer's withdrawal of the opposition with prejudice.

By the proposed amendment, applicant seeks to change the identification of goods **from**

playthings, namely, die cast vehicles; die cast vehicle playsets; large toy vehicles, namely, cars, trucks, flight vehicles, boats, and recreational sports vehicles; battery operated toy vehicles; remote control toy vehicles; radio controlled toy vehicles; toy trains; and model race sets

**to**

playthings, namely, die cast vehicles excluding motorcycles; die cast vehicle playsets excluding motorcycles; large toy vehicles, namely, cars, trucks, flight vehicles, boats, and recreational sports vehicles; battery operated toy vehicles excluding motorcycles; remote control toy vehicles excluding motorcycles; radio controlled toy vehicles excluding motorcycles; toy trains; and model race car sets.

**Opposition No.** Error! Reference source not found.

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

In accordance with the parties' stipulation, the opposition is dismissed with prejudice.

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