

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

Johnson

Mailed: October 29, 2002

Opposition No. 91123556

BEROL CORPORATION

v.

GFK AG

Andrew P. Baxley, Interlocutory Attorney:

On October 4, 2002, applicant filed a proposed amendment to its application Serial No. 75/449,419, with opposer's consent.¹

By the proposed amendment applicant seeks to change the identification of services in International Class 38 **from** "electronic transmission of messages and data in the economic field; electronic storage of messages and data in the economic field" **to** "electronic transmission of messages and data in the economic field; electronic storage of product-related data in the economic field."

¹ It is noted that applicant's proposed amendment does not include proof of service thereof upon counsel for opposer, as is required by Trademark Rule 2.119(a). However, because applicant has indicated that the amendment was filed pursuant to a settlement agreement between the parties, the Board will consider the amendment and forward a copy thereof to opposer with its copy of this order. **Applicant is reminded that any further papers that are not filed in strict compliance with Trademark Rule 2.119(a) will receive no consideration.**

Opposition No. 123,556

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, commencing with resetting applicant's time to answer. See Trademark Rule 2.106(c).