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Opposition No. 91125743
Opposition No. 91152104
Cancellation No. 92041147

THE SERVICEMASTER COMPANY

v.

UGI HAVC ENTERPRISES, INC.

On December 16, 2004, opposer/petitioner THE SERVICEMASTER COMPANY ("opposer") filed a motion to amend its pleadings in these consolidated cases to delete its claims of dilution so that its claim in each pleading is restricted to likelihood of confusion with pleaded registrations.[1] Applicant/respondent UGI HAVC ENTERPRISES, INC. ("applicant") filed a response noting that it did not oppose the motion.[2] The motion is granted as conceded pursuant to Trademark Rule 2.127(a). *See also*, Fed. R. Civ. P. 15(a); and TBMP 507.02 (2d ed. rev. 2004).

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[1] The delay in acting upon this matter is regretted.

[2] Applicant argues that, with the exception of Document Request No. 18, deletion of the dilution claim will not affect the discovery disputes between the parties. Opposer argues that it will. Discovery matters will be addressed in a separate order.

Opposer's amended notices of opposition and petition to cancel are accepted. This consolidated proceeding remains suspended pending the disposition of discovery motions. Upon resumption of proceedings, applicant will be allowed time to file its answer to the amended pleadings.

By the Trademark Trial and Appeal Board