

**UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451**

Mailed: January 11, 2006

Opposition No. 91162122

CPFilms Inc.

v.

Folia Tec Bohm GmbH & Co.  
Vertriebs KG

**Peter Cataldo, Attorney:**

On October 17, 2005, opposer submitted a withdrawal of the instant opposition, with prejudice. In view thereof, on December 5, 2005, the Board issued an order dismissing the instant opposition with prejudice.

It has subsequently come to the Board's attention that on October 21, 2005, applicant filed a proposed amendment to its involved application Serial No. 78210594, with an allegation of opposer's consent.<sup>1</sup>

By the proposed amendment applicant seeks to change the identification of goods by deleting all the goods recited in Class 17, leaving unchanged the goods identified in Class 11, 12 and 16, and adding the following goods: "Luminous

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<sup>1</sup>At the time the Board issued our December 5, 2005 order, applicant's October 21, 2005 filing had not yet been associated with the proceeding file for this opposition.

and electro-luminous lighted signs, luminous and electro-luminous strips of certain thickness, luminous and electro-luminous films, and fluorescent films all for decorative purposes for land vehicles."

However, the proposed amendment of the identification of goods is unacceptable because the above-proposed wording appears to fall into several International Classes, and is an expansion of the identification of goods as set previously forth in the involved application Serial No. 78210594. The addition of the above wording to the amended identification impermissibly broadens the goods beyond the scope of that set forth in the identification of goods as previously amended.

Accordingly, applicant's proposed request to amend the identification of goods is denied.

The instant opposition remains dismissed in accordance with opposer's October 17, 2005 motion and the Board's December 5, 2005 order.