

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

kk/Butler

Mailed: February 8, 2006

Opposition No. 91162252

MARS INCORPORATED

v.

Innovation Plus Holdings
Corp.

On January 27, 2006, the parties filed applicant's proposed amendment to its application Serial No. 78127678, such joint filing indicating opposer's consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods

-in Class 29 **from**

Meats, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs, milk and other dairy products, namely, cheese, butter, cream, condensed milk, sterilized milk, powdered milk, yogurt, desserts prepared from yogurt; preserves, pickles

to

Meats, fish, poultry and game; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams; eggs; milk and other dairy products, namely cheese, butter, cream, condensed milk, sterilized milk, powdered milk; preserves, pickles.

-and in Class 30 **from**

Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour, and preparations made from cereals, namely, breakfast cereals, cereal-based snack food; bread, biscuits, cakes, pastry and confectionery, ices; honey, treacle; yeast, baking powder; salt, mustard, pepper, spices; ice

to

Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour and preparations made from cereals, namely, breakfast cereals, cereal-based snack food; bread, cake; honey; yeast, baking powder; salt, mustard, pepper, spices; ice.

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).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed.

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