

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

acampbell

Mailed: June 28, 2005

Opposition No. 91163070

Lucky Brand Dungarees, Inc.

v.

CBR Incorporated

**Linda M. Skoro, Interlocutory Attorney:**

On June 20, 2005, the parties filed applicant's proposed amendment to its application Serial No. 76298204, with opposer's consent, and opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of services **from** "retail store services featuring bath and body products, books, calendars, collectibles, jewelry including cuff links, earrings, necklaces, pins, rings, desk accessories, decorative accessories, picture frames, gift bags, gourmet goodies, hair ornaments, paper gift items such as stationery, journals, stickers, greeting cards, photo albums, ornaments, decorative pillows, throws, wall art, and women's and girl's accessories excluding clothing" **to** " retail store services featuring the products of others, namely, books, calendars, collectibles, desk accessories, decorative accessories, picture frames, gift

bags, gourmet goodies, hair ornaments, paper gift items such as stationery, journals, stickers, greeting cards, photo albums, ornaments, decorative pillows, throws, and wall art."

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).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed without prejudice.

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