

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

dmd/lykos

Mailed: July 30, 2007

Opposition No. 91164357

Padres L.P.

v.

France Telecom Espana, S.A.
(by change of name and
merger from applicant
Eresmas Interactiva, S.A.¹

On July 10, 2007, the parties filed applicant's proposed amendment to its application Serial No. 76205648, with 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 services in International Class 38 **from:**

"TELECOMMUNICATIONS SERVICES, NAMELY, LOCAL AND LONG-DISTANCE TRANSMISSION OF VOICE, DATA, GRAPHICS BY MEANS OF TELEPHONE, TELEGRAPHIC, CABLE, SATELLITE, AND GLOBAL COMPUTER NETWORK TRANSMISSIONS; PROVIDING TELECOMMUNICATIONS CONNECTIONS TO A GLOBAL COMPUTER NETWORK; RADIO, TELEVISION, CABLE AND SATELLITE BROADCASTING SERVICES; INFORMATION SERVICES IN THE FIELD OF TELECOMMUNICATIONS; ELECTRONIC TRANSMISSION OF MESSAGES AND DATA; MOBILE RADIO TELEPHONE SERVICES; RENTING OF

¹ The following were all recorded in the Assignment Branch of the Office, the change of name from Eresma Interactive, S.A. to Wanadoo Espana, S.L., recorded at Reel/Frame 3570/0811, the merger from Wanadoo Espana, S.L to UNI2 Telecomunicaciones, S.A. at Reel/Frame 3573/0201, and the change of name from UNI2 Telecomunicaciones, S.A. to France Telecom Espana, S.A. at Reel/Frame 3573/0276.

TELECOMMUNICATIONS EQUIPMENT; RENTING OF EQUIPMENT FOR THE TRANSMISSION OF MESSAGES "

to the following:

"TELECOMMUNICATIONS SERVICES, NAMELY, LOCAL AND LONG-DISTANCE TRANSMISSION OF VOICE, DATA, GRAPHICS BY MEANS OF TELEPHONE, TELEGRAPHIC, CABLE, SATELLITE, AND GLOBAL COMPUTER NETWORK TRANSMISSIONS; PROVIDING TELECOMMUNICATIONS CONNECTIONS TO A GLOBAL COMPUTER NETWORK; RADIO, TELEVISION, CABLE AND SATELLITE BROADCASTING SERVICES; INFORMATION SERVICES IN THE FIELD OF TELECOMMUNICATIONS; ELECTRONIC TRANSMISSION OF MESSAGES AND DATA; MOBILE RADIO TELEPHONE SERVICES; RENTING OF TELECOMMUNICATIONS EQUIPMENT; RENTING OF EQUIPMENT FOR THE TRANSMISSION OF MESSAGES; ALL OF THE FOREGOING RELATING TO PRENATAL AND CHILD CARE FOR YOUNG CHILDREN OF SPANISH-SPEAKING PARENTS AND NOT RELATING TO SPORTS OR SPORTING ACTIVITIES."

and in International Class 41 **from:**

"PUBLICATION OF BOOKS; EDUCATION SERVICES, NAMELY, PROVIDING TRAINING, INSTRUCTION, COURSES AND CLASSES IN THE FIELD OF PRE-NATAL, PREGNANCY AND AFTER-BIRTH CARE, GYMNASIAC EXERCISES FOR PRE-NATAL, PREGNANCY AND AFTER-BIRTH FOR PARENTS AND YOUNG CHILDREN; ENTERTAINMENT SERVICES, NAMELY, ORGANIZING EDUCATION AND SPORTING COMPETITIONS IN THE NATURE OF GYMNASIACS AND ACADEMIC GAMES FOR CHILDREN AND PARENTS WITH YOUNG CHILDREN, NOT INCLUDING BASEBALL EXHIBITIONS; ORGANIZING AND CONDUCTING CULTURAL EXHIBITIONS ABOUT PREGNANCY AND CHILD DEVELOPMENT FOR PARENTS WITH YOUNG CHILDREN"

to the following:

"PUBLICATION OF BOOKS; EDUCATION SERVICES, NAMELY, PROVIDING TRAINING, INSTRUCTION, COURSES AND CLASSES IN THE FIELD OF PRE-NATAL, PREGNANCY AND AFTER-BIRTH CARE; ENTERTAINMENT SERVICES, NAMELY, ORGANIZING EDUCATION COMPETITIONS IN THE NATURE OF ACADEMIC GAMES FOR CHILDREN AND PARENTS WITH YOUNG CHILDREN, NOT INCLUDING BASEBALL EXHIBITIONS; ORGANIZING AND CONDUCTING CULTURAL EXHIBITIONS ABOUT PREGNANCY AND CHILD DEVELOPMENT FOR PARENTS WITH YOUNG CHILDREN; ALL OF THE FOREGOING RELATING TO PRENATAL AND CHILD CARE FOR YOUNG CHILDREN OF SPANISH-SPEAKING PARENTS AND NOT RELATING TO SPORTS OR SPORTING ACTIVITIES."

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 in accordance with the agreement between the parties.

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