

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

nlc

Mailed: February 8, 2006

Opposition No. 91166000

ADECCO SA

v.

ADESSO SYSTEMS, INC.

Cindy B. Greenbaum, Attorney:

PROPOSED AMENDMENT OF IDENTIFICATION OF GOODS AND SERVICES

On October 28, 2005, applicant filed a proposed amendment to its application Serial No. 78351940, without opposer's written consent. On December 20, 2005, the Board granted applicant thirty days to submit opposer's written consent to the proposed amended identification, and suspended the proceedings. On December 29, 2005, opposer filed its written consent to the proposed amended identification.

By the proposed amendment, applicant seeks to change the identification of goods and services in application Serial No. 78351940 **from:**

Cl. 9: Computer software platforms for use in developing, deploying and/or operating mobile applications; computer software platforms for use in storing, communicating and/or sharing data with other computer applications that store, process or provide data for use in mobile applications, all of the above goods not relating to human resources services,

to:

Cl. 9: Computer software platforms for use in developing, deploying and/or operating mobile applications; computer software platforms for use in storing, communicating and/or sharing data with other computer applications that store, process or provide data for use in mobile applications, all of the above goods not relating to human resources services, **all of the above goods not relating to human resources services** (emphasis added),

and from:

Cl. 42: Application service provider (ASP), namely, hosting computer software applications for use in developing, deploying and/or operating mobile applications and for use in storing, communicating and/or sharing data with other computer applications that either store, process or provide data for use in mobile applications; designing and customizing such computer applications; providing computer consulting and technical support services, namely, troubleshooting of computer software problems for the foregoing computer software applications, all of the above services not relating to human resources,

to:

Cl. 42: Application service provider (ASP), namely, hosting computer software applications for use in developing, deploying and/or operating mobile applications and for use in storing, communicating and/or sharing data with other computer applications that either store, process or provide data for use in mobile applications; designing and customizing such computer applications; providing computer consulting and technical support services, namely, troubleshooting of computer software problems for the foregoing computer software applications, all of the above services not relating to human resources, **all of the above services not relating to human resources services** (emphasis added)

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).

If this resolves the dispute herein, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).

In the event opposer does not file a withdrawal of the opposition, applicant is allowed until SIXTY DAYS from the mailing date of this order to file a response to the notice of opposition, and discovery and trial dates are reset as follows:¹

DISCOVERY PERIOD TO CLOSE: **July 15, 2006**

Thirty-day testimony period for party in position of plaintiff to close: **October 13, 2006**

Thirty-day testimony period for party in position of defendant to close: **December 12, 2006**

Fifteen-day rebuttal testimony period to close: **January 26, 2007**

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

¹ Applicant's consented motion (filed December 20, 2005) to extend time to file an answer is granted to the extent set forth above.

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