

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

Tyson

Mailed: June 8, 2006

Opposition No. 91166169

Flambeau, Inc.

v.

Hallmark Licensing, Inc.

On May 11, 2006, the parties filed applicant's proposed amendment to its application Serial No. 78445300, with opposer's consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to add a disclaimer "No claim is made to the exclusive right to use "YOYO" in connection with yo-yos or any products which depict yo-yos."

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***