

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

MT

Mailed: August 17, 2011

Opposition No. 91166487

Hasbro, Inc.

v.

Creative Action, LLC

By the Trademark Trial and Appeal Board:

On July 19, 2011, the parties filed a stipulation to amend applicant's involved application Serial No. 78359895 and to dismiss the opposition and counterclaim upon entry of the amendment.

By the proposed amendment, applicant seeks to change the identification and classification of goods **from** "therapeutic game in the nature of a trivia game and a bingo game for engaging persons with memory loss consisting of game cards that contain answers to questions and calling cards that contain questions and information related thereto" in International Class 28 **to** "therapeutic activity and program materials for individuals and groups of people with cognitive impairments such as dementia, head trauma or stroke living in long term care facilities, attending adult day care centers, living at home, or staying in hospitals, comprised of printed 'calling' cards that contain trivia questions and related

prompts for discussion, printed cards that contain an array of potential answers to the trivia questions, and boards used to hold the printed answer cards" in International Class 10.

In an August 15, 2011 telephone conference with the Board attorney assigned to this case, the parties indicated that they had agreed to further amend the identification of goods to "therapeutic program for individuals and groups of people with cognitive impairments such as dementia, head trauma or stroke living in long term care facilities, attending adult day care centers, living at home, or staying in hospitals, comprised of printed 'calling' cards that contain trivia questions and related prompts for discussion, printed cards that contain an array of potential answers to the trivia questions, and boards used to hold the printed answer cards" in International Class 10.

The further amendment is limiting in nature, as required by Trademark Rule 2.71(a), and does not change the nature of the goods. See TMEP Section 1505.03(b) (7th ed. 2010). Because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a). In view of such entry, the opposition and counterclaim are dismissed with prejudice.