

Opposition No. 91166819

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

jh/APB

Mailed: April 4, 2006

Opposition No. 91166819

OMS Investments, Inc.

v.

Bealcom, LLC

By the Trademark Trial and Appeal Board:

On March 9, 2006, the parties filed a stipulation to the amendment of applicant's involved application Serial No. 76511789 and to the dismissal without prejudice of the opposition if the proposed amendment is entered.

By the proposed amendment, applicant seeks to add the wording "not comprising pesticides, herbicides or fungicides" at the end of the identification of goods.

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).

In accordance with the parties' stipulation, the opposition is dismissed without prejudice.