

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

Baxley

Mailed: August 6, 2007

Opposition No. 91168979

Alstom

v.

Astom Co., Ltd.

By the Trademark Trial and Appeal Board:

On July 5, 2007, the Board issued an order wherein it rejected the parties' stipulation to amend the identification of goods in applicant's involved application Serial No. 76556692 and thus declined to consider the parties' stipulation to withdraw the opposition.

On August 1, 2007, applicant filed the parties' stipulation to the amendment of applicant's involved application Serial No. 76556692 and to the withdrawal with prejudice of the opposition, contingent upon entry of that amendment and the acceptable portions of the amendment that the parties filed on July 5, 2007.

By the most recent proposed amendment, applicant seeks to change the identification of goods by deleting the wording "electrodialysis machines and/or diffusion dialysis machines" from the identification of goods in International

Class 7 substituting therefor "electrodialysis machines and diffusion dialysis machines."

The most recent amendment is limiting in nature as required by Trademark Rule 2.71(a). Because opposer consents thereto, the most recent amendment is approved and entered. See Trademark Rule 2.133(a). The July 5, 2007 amendment is approved and entered, except as noted in the Board's July 5, 2007 order.

The contingency in opposer's withdrawal having now been met, the opposition is dismissed with prejudice.