

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

Baxley

Mailed: September 13, 2007

Opposition No. 91169142

Karsten Manufacturing  
Corporation

v.

Seven Networks, Inc.

**Andrew P. Baxley, Interlocutory Attorney:**

On August 30, 2007, applicant filed a proposed amendment to its application Serial No. 76612122, with opposer's consent.

By the proposed amendment, applicant seeks to add the wording ", (all of the foregoing for products marketed to to original equipment manufacturers and wireless network operators)" at the conclusion of the identification of goods in International Class 9. The recitation of services in International Class 42 remains as is.

Parentheses should not be used in identifications of goods and recitations of services. See TMEP Section 1402.12 (4th ed. 2005). However, the amendment is limiting in nature as required by Trademark Rule 2.71(a). Because opposer consents thereto, the amendment is approved and

entered, but for the parentheses.<sup>1</sup> See Trademark Rule 2.133(a).

Proceedings herein are suspended. If entry of the foregoing amendment resolves this case, opposer should file a withdrawal of the opposition within thirty days of the mailing date set forth in the caption of this order, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).

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<sup>1</sup> Likewise, the parentheses have been deleted from the recitation of services in International Class 42 and replaced by a comma between the words "support" and "all."