

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

PWC/TLC

Mailed: March 16, 2007

Opposition No. 91169537

House of Blues Brands Corp.

v.

Chica, Inc.

**Peter Cataldo, Administrative Trademark Judge:**

On February 20, 2007, applicant filed its proposed amendment to its application Serial No. 78623323 with opposer's consent, and opposer filed its consented withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods in class 9 from:

International Class 9: Eyeglasses, protective glasses and eyewear, eyeglass frames, eyeglass lenses, eyeglass cases and chains; sunglasses, sunglass lenses; electronic devices namely calculators, cell phones, cameras and computers

to:

International Class 9: Eyeglasses, protective glasses and eyewear, eyeglass frames, eyeglass lenses, eyeglass cases and chains; sunglasses, sunglass lenses; electronic devices namely calculators, cell phones, cameras and computers; all of the foregoing sold only through Registrant's own Internet website and through select luxury retail stores

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 with prejudice in accordance with the agreement between the parties.

***By the Trademark Trial  
and Appeal Board***