

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

vb/mcf/apb

Mailed: June 14, 2007

Opposition No. 91176081

California Tan, Inc.

v.

Challenge Products, LLC

By the Trademark Trial and Appeal Board:

On May 15, 2007, applicant filed a consented motion to amend its involved application Serial No. 78880892, with opposer's consent. On May 17, 2007, opposer filed a withdrawal of the opposition, contingent upon entry of applicant's proposed amendment.

By the proposed amendment, applicant seeks to change the identification of goods in International Class 3 from "skin care products, namely, beauty moisturizers, body moisturizers, cosmetic moisturizers, beauty gels, bath gels, shaving gels, shower gels, cosmetic gels, body gels, beauty oils, bath oils, body oils, shower oils, cosmetic oils, skin cleansers, and tanning lotions" to "skin care products, namely, beauty moisturizers, body moisturizers, cosmetic moisturizers, beauty gels, bath gels, shaving gels, shower gels, cosmetic gels, body gels, beauty oil, bath oils, body

oils, shower oils, cosmetic oils, and skin cleaners, but not including tanning and sunless tanning lotions, moisturizers, creams, gels, oils, and sunscreen." The identification of goods in International Class 5, which is not at issue in this proceeding, remains as is.

The proposed amendment is clearly limiting in nature as required by Trademark Rule 2.71(b). Because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

The contingency in opposer's withdrawal having been met, the opposition is dismissed in accordance with the agreement between the parties.