

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

nmt/lms

Mailed: December 8, 2009

Opposition No. 91178872

American Essentials Inc.

v.

Saramar, L.L.C.

On December 3, 2009, the parties filed applicant's proposed amendment to its application Serial No. 78744586, with opposer's consent, and opposer's 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 International Class 25 as follows:

from

"Insoles for footwear; non-slipping devices for shoes; shoe inserts for primarily non-orthopedic purposes; heel inserts for footwear; socks and stockings"

to

"Insoles for footwear; non-slipping devices for shoes; shoe inserts for primarily non-orthopedic purposes; heel inserts for footwear."

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), 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.

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