

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

nmt/dmd

Mailed: July 21, 2008

Opposition No. 91178970

Kellogg North America Company

v.

Perdue Holdings, Inc.

On June 19, 2008, applicant files its proposed amendment to its application Serial No. 78905628, with opposer's consent, and on June 25, 2008, opposer's withdrawal of the opposition with prejudice.

By the proposed amendment applicant seeks to change the identification of goods in International Class 29 as follows.

from:

"Poultry; frozen, prepared or packaged entrees consisting primarily of meat, fish, poultry or vegetables"

to:

"Poultry; frozen, prepared or packaged entrees consisting primarily of meat, fish, poultry"

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).

In view thereof,, the opposition is dismissed with prejudice.

*By the Trademark Trial
and Appeal Board*