

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

MBA/cv

Mailed: March 24, 2008

Opposition No. 91181548

Apple Inc.

v.

Randall L. Thompson

On March 18, 2008, applicant filed its proposed amendment to its application Serial No. 77061908, with opposer's consent, and opposer's withdrawal without prejudice of the opposition, with applicant's consent, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of services **from** "Entertainment in the nature of visual and audio performances, and musical, variety, news and comedy shows; Entertainment in the nature of visual and audio performances, namely, musical band, rock group, gymnastic, dance, and ballet performances; Entertainment in the nature of musical group; Entertainment namely, live performances by a musical band; Entertainment services, namely, an online activity where you create your own music videos; Entertainment services, namely, providing a web site featuring musical performances, musical videos, related film clips, photographs, and other multimedia materials;

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Entertainment, namely live music concerts; Entertainment, namely live performances by musical bands; Presentation of musical performance; Production of sound and music video recordings" **to "Entertainment in the nature of visual and audio performances, namely by the musical band Appleshire featuring Randall Thompson; entertainment namely, live performances by the musical band Appleshire featuring Randall Thompson; entertainment services, namely, providing a web site featuring musical performances and music videos by the musical band Appleshire featuring Randall Thompson; production of sound and music video recordings by the musical band Appleshire featuring Randall Thompson."**

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 without prejudice.

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