

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

vb/bb

Mailed: September 29, 2008

Opposition No. 91185380

Sara Lee Coffee and Tea
Hellas Viomichania Kafe Kai
Tsagiou Anonymos Etairia
d/b/a Bravo A.E. (S.A)

v.

Beta II Marketing Corp

On September 23, 2008, the parties filed applicant's proposed amendment to its application Serial No. 77249207, 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 **from:**

"Salad dressings; Hot pepper powder; Hot sauce; Ketchup; Salsa; Tomato sauce; Alimentary paste; Bakery goods; Barbecue sauce; Biscuits; Hominy; Breadcrumbs; Burritos; Candy; Capers; Cereal based snack food; Coffee; Cookies; Corn chips; Custards; Tortilla chips; Crackers; Seasonings; Spices; Chocolate; Empanadas; Enchiladas; Extracts used as flavoring; Fajitas; Flavoring syrup; Flour; Frozen entrees consisting primarily of pasta or rice; Grain-based food beverages; Noodles; Picante sauce; Flavored, sweetened gelatin desserts; Food starch; Honey; Chili sauce; Cocoa; Puddings; Table syrup; Taco chips; Tamales; Pastries; Rice; Salt; Tapioca; Yeast; Prepared meals consisting primarily of pasta or rice; Treacle;

Marinades; Corn meal; Frozen confections; Wine vinegar;
Tortillas."

to:

"Salad dressings; Hot pepper powder; Hot sauce; Ketchup;
Salsa; Tomato sauce; Alimentary paste; Bakery goods; Barbecue
sauce; Biscuits; Hominy; Breadcrumbs; Burritos; Candy; Capers;
Cereal based snack food; Cookies; Corn chips; Custards;
Tortilla chips; Crackers; Seasonings; Spices; Chocolate;
Empanadas; Enchiladas; Extracts used as flavoring; Fajitas;
Flavoring syrup; Flour; Frozen entrees consisting primarily of
pasta or rice; Grain-based food beverages; Noodles; Picante
sauce; Flavored, sweetened gelatin desserts; Food starch;
Honey; Chili sauce; Cocoa; Puddings; Table syrup; Taco chips;
Tamales; Pastries; Rice; Salt; Tapioca; Yeast; Prepared meals
consisting primarily of pasta or rice; Treacle; Marinades;
Corn meal; Frozen confections; Wine vinegar; Tortillas."

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***