

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

TDC

Mailed: April 1, 2010

Opposition No. 91188120

DrugTech Corporation

v.

PURE Bioscience

**Cheryl Butler, Attorney, Trademark Trial and Appeal Board:**

On March 18, 2010, applicant filed a proposed amendment to its application Serial No. 77498929, with opposer's consent.<sup>1</sup>

By the proposed amendment applicant seeks to change the identification of goods in International Class 5 **from**

All purpose disinfecting and deodorizing preparations;  
Antimicrobial preservatives for cosmetics and  
pharmaceuticals; Pharmaceuticals, namely, anti-  
infectives"

to

All purpose disinfecting and deodorizing preparations;  
Antimicrobial preservatives for cosmetics and  
pharmaceuticals; Pharmaceuticals, namely, anti-  
infectives, ***excluding nutritional supplements.***<sup>2</sup>

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

---

<sup>1</sup> The goods in International Classes 1 & 3 remain unchanged.

<sup>2</sup> The wording in bold-italics is added.

Opposition No. 91188120

consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

If this resolves the dispute herein, opposer is allowed until **THIRTY DAYS** from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).

\*\*\*