

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

csg/vw

Mailed: February 22, 2010

Opposition No. 91188904

TeleTracking Technologies,
Inc.

v.

Russ Markhovsky

On February 15, 2010, the parties filed applicant's proposed amendment to its application Serial No. 77161798, with opposer's written consent thereto, and opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment, pursuant to the parties' settlement agreement.

By the proposed stipulated amendment, applicant seeks to change the identification of services in Class 9 by adding the following wording to the end of the current identification, namely, "said system not used to monitor patient placement, turnover, transport, procedure status and management of healthcare professionals and staff in hospitals or healthcare facilities," so that the identification of services will read as follows:

Location positioning and tracking system consisting primarily of portable locating devices, namely, electronic RF transmitting tags and electronic signal readers, computers, computer software, namely, computer operating

system software, computer hardware, computer firmware, portable devices, namely, handheld computers, handheld Liquid Crystal Display monitors, personal digital assistant computers, smart phones, portable locating device hardware, namely, RF circuits, specifically RF amplifiers, RF mixers, frequency synthesizers, signal filters, and oscillators, and Analog-to-Digital converters, Digital-to-Analog converters, integrated circuits, namely, Field Programmable Gate Arrays, application specific integrated circuit, system on a chip, and Power circuits, specifically, DC-to-DC converters and voltage regulators; portable locating device application software, namely, human-machine graphical user interface, computer graphical user interface used on with the locating device, electronic locating device controls and computer software used to allow the electronic transponders and transmitters to communicate with the electronic receivers; and signal/ data and telemetry post-processing software; portable locating device firmware, namely, locating device to computer interface, RF front-end control firmware, Software-Defined-Radio firmware, communication firmware, namely, wireless modems, ranging signal generation and processing firmware, distance measurement protocol firmware, signal/ data and telemetry processing firmware; RF transmitters, transponders, RF receivers, network interface devices, namely, compact touch screen monitors used to locate, monitor and track persons, vehicles, objects and animals; **said system not used to monitor patient placement, turnover, transport, procedure status and management of healthcare professionals and staff in hospitals or healthcare facilities.**

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***