

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

nmt

Mailed: August 20, 2010

Opposition No. **91189611**

Hansen Beverage Company

v.

Cytosport, Inc.

By the Trademark Trial and Appeal Board:

On August 16, 2010, the parties a stipulation to amend applicant's involved application Serial No. 77588742 and to withdraw this opposition with prejudice upon entry of the amendment.¹

By the proposed amendment, applicant seeks to change the identification of goods **from** "dietary and nutritional supplements" **to** "dietary and nutritional supplements, excluding ready to drink beverages."

The amendment is clearly limiting in nature as required by Trademark Rule 2.71(a). In view of the parties' stipulation, the amendment is approved and entered, and the opposition is dismissed with prejudice. See Trademark Rule 2.133(a).

¹ This proceeding is consolidated with Opposition No. 91175473 and many others.
