

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

vw/Dunn

Mailed: December 30, 2009

Opposition No. 91189906

Maidenform, Inc.

v.

Metal Mulisha, LLC

On November 30, 2009, the parties filed applicant's proposed amendment to its application Serial No. 77385962, with opposer's consent, and opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

By such motion, applicant seeks change the identification of goods in class 25 **from:**

International Class 25: clothing, namely, shirts, blouses, tank tops, jackets, pants, shorts, belts, underwear, swim wear, sweat suits, sweaters, suits, hats, gloves, socks and foot wear

**to:**

International Class 25: clothing, namely, shirts, blouses, tank tops, jackets, pants, shorts, belts, swim wear, sweat suits, sweaters, suits, hats, gloves, socks and foot wear

The identification of goods in classes 18 and 41 remains unchanged.

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***