

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

Mailed: March 26, 2012

Opposition No. 91191251

Excelled Sheepskin & Leather  
Coat Corp.

v.

RML Jackson, LLC

**Robert H. Coggins,  
Interlocutory Attorney:**

On February 22, 2012, applicant filed a proposed amendment to its applications Serial Nos. 77713053 and 77713054, with opposer's consent.<sup>1</sup> By the proposed amendment applicant seeks to delete boots, footwear, shoes, slippers, sneakers, and socks from both applications, so the identification of goods for each involved application would read as follows:

Beachwear; Belts; Blouses; Bottoms; Caps; Coats;  
Dresses; Foul weather gear; Gloves; Hats;  
Headwear; Hosiery; Jackets; Jeans; Lingerie;  
Mittens; Neckties; Neckwear; Nightwear; Pajamas;  
Pants; Pullovers; Rainwear; Robes; Scarves;  
Shirts; Shorts; Skirts; Skorts; Sweat shirts;  
Sweaters; Swimwear; T-shirts; Ties; Track suits;  
Undergarments; Vests; Visors.

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<sup>1</sup> It is noted that applicant filed the same amendment in Opposition No. 91192707 (which involves the same applications but a different opposer) with the consent of the opposer to that proceeding, but did not allege the consent of the opposer to this proceeding; and, similarly, the amendment in this proceeding does not allege the consent of the opposer from the other proceeding. The correct practice is to make the consent of both opposers of record in each proceeding. See TBMP § 514.02 (3d ed. 2011). Notwithstanding applicant's failure, it is clear that both opposers consent to the amendment.

Opposition No. 91191251

Inasmuch as the amendment is 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).

Proceedings remain suspended pending disposition of the civil action. Notwithstanding the suspension, if the amendment granted herein resolves the dispute between the parties, then opposer may file a withdrawal of the opposition.