

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

MBA/am

Mailed: March 22, 2011

Opposition No. 91193365

Polaris Industries Inc.

v.

POLARIS Laboratories, LLC

Serial No. 77573619

On March 10, 2011, applicant filed an express abandonment of its application Serial No. 77573619, with prejudice, and with opposer's written consent.

In view thereof, application Serial No. 77573619 stands abandoned with prejudice.

Serial No. 77573498

On the same day, the parties filed applicant's proposed amendment to its application Serial No. 77573498, with opposer's consent, and opposer's withdrawal with prejudice of the opposition, contingent upon entry of the amendment. By the proposed amendment, applicant seeks to change the identification of services **from** "Testing and analysis services for oils, fuels, coolants and water-based fluids used in the operation of motor vehicles and machinery" **to** "Testing and

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analysis services for oils, fuels, coolants and water-based fluids used in the operation of motor vehicles and machinery not being recreational vehicles, namely, all-terrain vehicles, all-terrain utility vehicles, snowmobiles, motorcycles, quadricycles and low-speed electric vehicles."

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 with prejudice.

***By the Trademark Trial
and Appeal Board***