

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

gcp

Mailed: March 29, 2011

Opposition No. 91193924

Denihan Ownership Company,  
LLC

v.

A&B Restaurant Group LLC  
d/b/a Benjamin Steakhouse

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

On March 4, 2011, the parties filed applicant's proposed amendment to its application Serial No. 77703573, with opposer's consent, and opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of services in International Class 43 **from** "restaurant, cocktail lounge, and bar services" **to** "restaurant services." <sup>1</sup>

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.

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<sup>1</sup> The identification of goods in International Class 30 goods remains unchanged.