

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

MT

Mailed: July 27, 2010

Opposition No. 91194768

ZipWall LLC

v.

W. Frank Little, Jr.

**Ann Linnehan, Interlocutory Attorney**

On July 14, 2010, applicant filed a proposed amendment to its application Serial No. 77671256, with opposer's consent.

By the proposed amendment applicant seeks to change the identification of goods **from** "Construction materials, namely, non-metal partitions for use in constructing interior walls in commercial or residential buildings " **to** "Construction materials, namely, drywall for use in constructing interior walls in commercial or residential buildings."

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).

If this resolves the dispute herein, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition

will go forward on the application as amended. See Trademark Rule 2.106(c).