

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

RK/lg

Mailed: May 16, 2012

Opposition No. **91196210**

AZPB Limited Partnership

v.

Brandon Alejandro Rey

On May 1, 2012, the parties filed applicant's proposed amendment to its **application Serial No. 77840190**, with opposer's consent, and opposer's withdrawal without prejudice of the opposition with applicant's written consent and contingent upon entry of the amendment.

By the proposed amendment, applicant seeks to change the identification of goods in International Class 34¹ as follows (amendment in bold):

From: Tobacco; in International Class 34.

To: Tobacco **not relating to sports or a sports team**; in International Class 34.

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer

¹ The motion incorrectly identifies the relevant class as International Class 38.

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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**.²

*By the Trademark Trial
and Appeal Board*

² In view thereof, opposer's consented motion to suspend proceedings (filed May 1, 2012) is **MOOT** and will be given no further consideration.