

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

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Mailed: July 20, 2013

Opposition No. 91196618

Solvay S.A.

v.

Eastman Chemical Company

Andrew P. Baxley, Interlocutory Attorney:

On May 20, 2013, applicant filed a proposed amendment to its application Serial No. 77924132, with opposer's consent. By the proposed amendment, applicant seeks to change the identification of goods in International Class 1 **from:** "Unprocessed polyester resins for use in the manufacture of plastic articles" **to** "Unprocessed polyester resins for use in the manufacture of plastic articles, namely consumer and household containers".¹

The amendment is limiting in nature, as required by Trademark Rule 2.71(a). Because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

If entry of the amendment resolves this case, opposer should withdraw the opposition within thirty days of the

¹ Applicant filed a motion for involuntary dismissal under Trademark Rule 2.1322(a) on May 8, 2013 and withdrew that motion on May 20, 2013. Accordingly, that motion will receive no consideration.

mailing date of this order, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c). Proceedings herein are otherwise suspended.²

² The parties' stipulation (filed May 20, 2013) to suspend pending the Board's decision on the proposed amendment is moot. The Board deems the filing of the proposed amendment to have tolled the running of dates herein.