

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

VW

Mailed: February 25, 2011

Opposition No. 91196803

N3 Oceanic, Inc.

v.

Food Technology & Design,
LLC

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

On February 18, 2011, applicant filed the parties' stipulation comprising applicant's proposed amendment to its application Serial No. 77931682.

By the proposed stipulated amendment, applicant seeks to change the identification of goods (in International class 5), as follows,

From:

"Dietary food supplements; Energy boosting bars for use as a meal substitute; Food supplements; Food supplements, namely, anti-oxidants; Health food supplements; Meal replacement bars; Mineral food supplements; Nutritional energy bars for use as a meal substitute; Nutritional food bars for use as a meal replacement"¹

To:

"Energy boosting bars for use as a meal substitute; Meal replacement bars; Nutritional energy bars for use as a meal substitute; and Nutritional food bars for use as a meal replacement."

¹ The wording in bold-italics is to be deleted.

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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).
