

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 26, 2011

Opposition No. 91197498

K-2 Corporation

v.

Save The Children
Federation, Inc.

Ann Linnehan, Attorney

On June 16, 2011, the parties filed applicant's proposed amendment to its application Serial No. 77906268, with opposer's consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods **from** "Clothing, namely, t-shirts, neckties, jackets; children's playwear, namely, sweaters, pants, shorts, overalls, wind resistant jackets, jumpers and dresses; headgear, namely, baseball caps" **to** "clothing, namely, t-shirts, neckties, jackets (including fleece jackets), sweatshirts (including hoodies), children's playwear, namely, sweaters, pants, shorts, overalls, windbreakers, jumpers and dresses; headgear, namely, baseball caps. The goods shall exclude any products specifically designed for or specifically intended for use while engaging in active sports."

The Board finds that the amendment is unacceptable to the extent that it contains parentheses and indefinite terms and phrases (i.e., including). Applicant should refer to TMEP Section 1402.03(a) for further guidance.

In view thereof, proceedings are hereby resumed. Dates are reset as follows:

Expert Disclosures Due	9/5/2011
Discovery Closes	10/5/2011
Plaintiff's Pretrial Disclosures	11/19/2011
Plaintiff's 30-day Trial Period Ends	1/3/2012
Defendant's Pretrial Disclosures	1/18/2012
Defendant's 30-day Trial Period Ends	3/3/2012
Plaintiff's Rebuttal Disclosures	3/18/2012
Plaintiff's 15-day Rebuttal Period Ends	4/17/2012
