

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

RK/kk

Mailed: April 18, 2012

Opposition No. 91201531

Guided Delivery Systems Inc.

v.

Acumed LLC

Yong Oh (Richard) Kim, Interlocutory Attorney:

On January 17, 2012, applicant filed a proposed amendment to its application Serial No. 85259807, with opposer's consent.¹

By the proposed amendment, applicant seeks to change the identification of goods as follows:

From: *Surgical and medical apparatus and instruments for use in orthopedic surgery; Surgical implants comprising artificial material;* in International Class 10.

To: *Surgical instruments and implants comprising artificial materials for use in orthopedic surgery;* in International Class 10.

¹ Applicant's amendment fails to indicate proof of service on opposer as required by Trademark Rule 2.119. In order to expedite this matter, opposer is referred to <http://ttabvue.uspto.gov/ttabvue/v?pno=91201531&pty=OPP&eno=10> to view a copy of the filing. Notwithstanding, strict compliance with Trademark Rule 2.119 is required by applicant in all future papers filed with the Board.

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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).

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