

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

RK/tlc

Mailed: June 18, 2012

Opposition No. 91202059

JKL Partners LLC

v.

Addriya Yoga, LLC

Applicant's proposed amendment to **application Serial No. 85078567** seeks to delete Class 25 in its entirety and to amend the recitation of services in Class 35 to delete the opposed services as follows:

From: On-line retail store services featuring apparel, printed publications, and yoga accessories; in International Class 35.

To: On-line retail store services featuring printed publications, and yoga accessories; in International Class 35.

Applicant's amendment to delete Class 25 from the application operates as an abandonment of the application as to that class. See Trademark Rule 2.135; and TBMP § 602.01 (3d ed. 2011). Similarly, where only a portion of the services in a class is opposed and the applicant files a

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request to amend the application to delete those opposed services, the request for amendment is, in effect, an abandonment of the application with respect to those services, and is also governed by Trademark Rule 2.135.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant as to all of **Class 25 and the opposed portion of Class 35**, the opposition is sustained and registration to applicant is refused **in Class 25 and the opposed portion of Class 35 only**.

The application will now proceed under **Class 35 as amended and under the remaining unopposed goods and services in Classes 9, 16, 28 and 41**, to the Intent-to-Use Division for issuance of a notice of allowance.

*By the Trademark Trial
and Appeal Board*