

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

am/gcp

Mailed: August 28, 2012

Opposition No. 91203266

Bob's Red Mill Natural  
Foods, Inc.

v.

TruHealth, LLC

**George C. Pologeorgis,  
Interlocutory Attorney:**

On August 21, 2012, applicant filed a proposed amendment to its application Serial No. 85363410, with opposer's consent.<sup>1</sup>

By the proposed amendment applicant seeks to change the identification of goods **from:**

**"Biscuits, bread, bread rolls, cakes, cereal products, confectionery, crackers, noodles, fish sauce, relish, sauces, cereal-based snack-foods and prepared dietary items that are gluten-free to accommodate special medical and health conditions; Dietetic foods adapted for medical use; Food for medically restricted diets; Gluten-free food to accommodate special medical and health**

---

<sup>1</sup> Applicant's amendment does not indicate proof of service of a copy of same on counsel for opposer, as required by Trademark Rule 2.119. In order to expedite this matter, the parties are directed to the following URL where a copy of said amendment can be viewed:  
<http://ttabvue.uspto.gov/ttabvue/v?pno=91203266&pty=OPP&eno=9>

**conditions; Processed food adapted for medical purposes; Protein reduced and gluten free food for medical purposes."**

to:

**"Biscuits, bread, bread rolls, cakes, confectionery, crackers, noodles, fish sauce, relish, sauces, prepared dietary items that are gluten-free to accommodate special medical and health conditions; Dietetic foods adapted for medical use; Food for medically restricted diets; Gluten-free food to accommodate special medical and health conditions; Processed food adapted for medical purposes; Protein reduced and gluten free food for medical purposes."**

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).

Proceedings otherwise remain suspended pending a response to this order.