

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

RA

Mailed: June 13, 2013

Opposition No. 91204617

Pyrok, Inc.

v.

C.G.I. International Limited

**Robert H. Coggins,
Interlocutory Attorney:**

On April 12, 2013, applicant filed a stipulated motion to amend subject application Serial No. 79092488.¹ By the motion, applicant seeks to change the identification of goods **from** "Glazing materials having fire resistant properties, namely, glass and reinforced glass for building," **to** "Glazing materials having fire resistant properties, namely, glass and reinforced glass for building; none of the above goods in relation to acoustical or sound absorption goods or principally having sound absorbing properties or applications or marketed as having such properties or applications."

¹On March 29, 2013, prior to filing the amendment, applicant filed its answer to the notice of opposition. Inasmuch as answer was due, as last reset, on March 12, 2013, applicant is in technical default. However, in view of the stipulated motion to amend, the Board finds good cause to set aside applicant's technical default.

Inasmuch as the amendment is limiting in nature as required by Trademark Rule 2.71(a), and because opposer stipulates thereto, it is approved and entered. See Trademark Rule 2.133(a).

If this resolves the dispute between the parties, 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.² See Trademark Rule 2.106(c).

Proceedings are suspended pending a response from opposer.

² Inasmuch as answer was due in this case on March 12, 2013, but the answer was not filed until March 29, 2013, applicant is in technical default.