

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

RA/gcp

Mailed: July 5, 2012

Opposition No. 91204743

Bose Corporation

v.

Ibule Photonics Co., Ltd.

By the Trademark Trial and Appeal Board:

On June 19, 2012, the parties filed applicant's proposed amendment to its application Serial No. 85206249, with opposer's consent, and opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods in International Class 9:¹

from "Digital cameras; infrared cameras; acceleration sensors; distance measuring apparatus; range finders; metal detectors for industrial or military purposes; resonators; probes for scientific purposes, namely, for testing printed circuit boards; measuring instruments, namely, saccharometers; testing apparatus for testing printed circuit boards; diagnostic apparatus for printed circuit boards; marine depth finders; echo sounding apparatus and machines; water level indicators; automatic liquid-level control machines and instruments; gyrometers; precision measuring apparatus for printed circuit boards; precision measuring machines for printed circuit boards; measuring instruments for printed circuit boards; ultrasonic thickness gauges for animals skins for non-medical use; electronic ultrasonic test equipment,

¹The identification of goods in International Class 10 remains unchanged.

namely, thickness measurers for leather; ultrasonic heat sensors; acoustic sound alarms; alarms for the detection of inflammable gases; dry cells; electric batteries; self-charging batteries; batteries that charge wirelessly; electroacoustic transducers; electric audio and visual apparatus and instruments, namely, audio and video recorders; headphones; audio speakers; panel loud speakers; microphones; frequency converter for actuators; wireless communication device for voice transmission; apparatus for wireless transmission of acoustic information; earphones; microphones for telecommunication apparatus; portable communications apparatus, namely, cellular telephones; blank optical discs; blank optical discs for recording hologram images; computer software for detecting flaws in printed circuit boards; computer software programs for detecting flaws in printed circuit boards; roentgen cameras, not for medical purposes; lasers, not for medical purposes; hydrophone machines and apparatus for printed circuit boards; operating system programs; sonars; echo sounders; sound locating instruments, namely, echo sounders; computer application software for cellular telephones for detecting flaws in printed circuit boards; electron microscopes; ultrasonic echo sounders; ultrasonic flaw detectors; ultrasonic sensors; ultrasonic sensor probes, not for medical purposes; semi-conductor memories; semi-conductor memory units; semi-conductor elements, namely, memory units; structured semi-conductor wafers; silicon wafers; electronic circuit boards; electronic integrated circuits; integrated circuits; integrated circuit modules; circuit boards; protective helmets; protective helmets for sports; motorcycle helmets"

to "Digital cameras; infrared cameras; acceleration sensors; distance measuring apparatus; range finders; metal detectors for industrial or military purposes; resonators; probes for scientific purposes, namely, for testing printed circuit boards; measuring instruments, namely, saccharometers; testing apparatus for testing printed circuit boards; diagnostic apparatus for printed circuit boards; marine depth finders; echo sounding apparatus and machines; water level indicators; automatic liquid-level control machines and instruments; gyrometers; precision measuring apparatus for printed circuit boards; precision measuring machines for printed circuit boards; measuring instruments for printed circuit boards; ultrasonic thickness gauges for animals skins for non-medical use; electronic ultrasonic test equipment, namely, thickness measurers for leather; ultrasonic heat sensors; acoustic sound alarms; alarms for the detection

of inflammable gases; dry cells; electric batteries; self-charging batteries; batteries that charge wirelessly; frequency converter for actuators; portable communications apparatus, namely, cellular telephones; blank optical discs; blank optical discs for recording hologram images; computer software for detecting flaws in printed circuit boards; computer software programs for detecting flaws in printed circuit boards; roentgen cameras, not for medical purposes; lasers, not for medical purposes; hydrophone machines and apparatus for printed circuit boards; operating system programs; sonars; echo sounders; sound locating instruments, namely, echo sounders; computer application software for cellular telephones for detecting flaws in printed circuit boards; electron microscopes; ultrasonic echo sounders; ultrasonic flaw detectors; ultrasonic sensors; ultrasonic sensor probes, not for medical purposes; semi-conductor memories; semi-conductor memory units; semi-conductor elements, namely, memory units; structured semi-conductor wafers; silicon wafers; electronic circuit boards; electronic integrated circuits; integrated circuits; integrated circuit modules; circuit boards; protective helmets; protective helmets for sports; motorcycle helmets."

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).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed with prejudice in accordance with the agreement between the parties.