

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

BUO/am

Mailed: June 4, 2013

Opposition No. 91205146

Beats Electronics, LLC

v.

Luvbeats, LLC

On May 21, 2013, the parties filed applicant's proposed amendment to its application Serial No. 85398258, with opposer's consent, and opposer's withdrawal with prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment, applicant seeks to amend the involved application to delete the services listed in International Class 041 in their entirety. In an opposition to an application having multiple classes, if the applicant files a request to amend the application to delete an opposed class, the request for amendment is, in effect, an abandonment of the application with respect to that class, and is governed by Trademark Rule 2.135. TBMP § 605.03(b) (3d ed. rev. 2012).

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In view of the foregoing, application **Serial No. 85398258 stands abandoned as to the goods in International Class 041 only.**

The contingency in opposer's withdrawal having been met, the opposition is dismissed with prejudice.

*By the Trademark Trial  
and Appeal Board*