

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

am

Mailed: January 26, 2015

Opposition No. 91205654

SPX Corporation

v.

Gamma Sales Inc.

Jennifer Krisp, Interlocutory Attorney:

On January 15, 2015, applicant filed a proposed amendment to its application Serial No. 85310125, with opposer's consent.

By the proposed amendment, applicant seeks to amend the identification of goods as follows:¹

Class 4

from "Engine oil"

to

"Engine oil for motorcycles, snowmobiles, ATVs and watercraft."

Class 6

from "Metal billet risers and adaptors; metal hardware, namely, washers"

to

"Metal billet risers and adaptors; metal hardware, namely, washers for motorcycles, snowmobiles, ATVs and watercraft"

¹ Additions are underlined, and deletions are stricken through.
The identification of goods in Class 9 remains unchanged.

Class 7

from

“Snowmobile parts, namely, engine components, namely, piston and ring assemblies, connecting rod and bearing assemblies, crankshafts, engine gaskets, engine gears, exhaust springs and joints, cylinders and cylinder sleeves; ~~power operated snowmobile lifts; internal combustion engine parts, namely, pistons; gaskets for internal combustion engines; billet idlers being parts of vehicle engines; plastic idler wheels being parts of engines; connecting rods for machines, motors and engines”~~

to

“Snowmobile parts, namely, engine components, namely, piston and ring assemblies, connecting rod and bearing assemblies, crankshafts, engine gaskets, engine gears, exhaust springs and joints, cylinders and cylinder sleeves; plastic idler wheels being parts of snowmobile suspensions and drivetrains”

Class 12

from “Fitted covers for snowmobiles; ~~sled caddies, namely, snowmobile dollies; shop dollies;~~ carbides being parts of snowmobiles; dooly carbides being parts of snowmobiles; land vehicle parts, namely, tire snow chains; vehicle parts, namely, shock absorbers and drive belts”

to

“Fitted covers for snowmobiles; carbides being parts of snowmobiles; dooly carbides being parts of snowmobiles; land vehicle parts, namely, tire snow chains for ATVs; vehicle parts, namely, shock absorbers and drive belts for ATVs and snowmobiles”

Class 25

from “Clothing, namely, jackets and sweaters”

to

“Clothing, namely, jackets and sweaters for use in association with ATVs and snowmobiles”

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

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If the amendment resolves this proceeding, 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).

If no response is filed, proceedings will be resumed and dates reset, as appropriate.

Proceedings are otherwise suspended.