

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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WINTER/nmt

Mailed: July 10, 2015

Opposition No. 91206574

adidas International Marketing BV, adidas  
America, Inc., adidas AG

v.

Kevin Rutledge

**By the Trademark Trial and Appeal Board:**

On June 15, 2015, applicant filed the parties' stipulated proposed amendment to application Serial No. 85388668 with prejudice, and opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment, the parties seek to amend the identification of goods in International Class 25 as follows:

From:<sup>1</sup>

~~"Clothing, namely, socks; footwear; pedicure sandals; pedicure slippers; sandals; flip flops"~~

To:

"Footwear, **namely, pedicure** footwear; pedicure sandals; pedicure slippers."

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<sup>1</sup> The proposed amendment is shown in bold type font; and lined-through wording is deleted. The goods in International Class 3 remain unchanged.

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).

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

