

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

nmt

Mailed: May 9, 2014

Opposition No. 91209334

Sensus Spectrum LLC

v.

AVL LIST GMBH

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

On April 10, 2014, applicant filed the parties' stipulation to amend application Serial No. 79108691 and to the withdrawal of the opposition without prejudice upon entry of the amendment.

By the proposed amendment, applicant seeks to amend the identification of goods in International Class 9 as follows:

from

"Measuring instruments and measuring apparatus for measuring of mass flows, in particular of gas, namely, flowmeter; software for the operation, the evaluation and development of motors and vehicles; computer and control programs for the modelling of motors; data storage devices with recorded software for the operation, the evaluation and development of motors and vehicles"

to

"Measuring instruments and measuring apparatus for measuring of mass flows, in particular of gas, namely flowmeters for test facilities for engines, motors and vehicles; software for the operation, the evaluation and development of engines, motors and vehicles; computer and control programs for the modeling of

motors and engines; data storage devices with recorded software for the operation, the evaluation and development of engines, motors and vehicles."

The amendment is limiting in nature, as required by Trademark Rule 2.71(a). Because opposer consents thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a). In view of such entry, the opposition is dismissed without prejudice.