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

nmt

Mailed: September 23, 2013

Opposition No. 91210177

Square, Inc.

v.

e2 Auto LLC and Eric Matthew Winokur

Benjamin U. Okeke, Interlocutory Attorney:

On August 29, 2013, applicant filed a proposed amendment to its application Serial No. 85670848, with opposer's consent.

On September 17, 2013, opposer filed a withdrawal of the opposition with prejudice contingent upon the acceptance of applicant's amendment.

By the proposed amendment applicant seeks to amend the identification of goods in International Class 9 to remove the following struck language and add the following underlined language:

> ~~Computer application software for mobile phones, namely, software for use in the electronic storage of data;~~ Commuter application software for automotive, vehicle, and boat sales, namely, software for sales system integration; ~~Computer software for application and database integration; Computer software for communicating with users of hand-held computers; Computer software for creating searchable databases of information and data; Computer software for providing an on-line~~

~~database in the field of transaction processing to upload transactional data, provide statistical analysis, and produce notifications and reports;~~ Computer software for use in customer relationship management (CRM), namely, computer software for use in transactional, relational or negotiated sales environment where the vendor or merchant and customer meet either in person, online, or via telephone to discuss the goods or services being purchased and agree to the price for such goods or services; Computer software platforms for retail vehicle and boat sales, namely, computer software for use in a transactional, relational or negotiated sales environment where the vendor or merchant and customer meet either in person, online, or via telephone to discuss the goods or services being purchased and agree to the price for such goods or services; none of the foregoing offered in connection with, or related to goods or services for reconciling, processing, or providing electronic transmission of credit card, debit card, gift card, currency and other payment transactions and transfers and related data.

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

In view thereof, the opposition is dismissed with prejudice.