

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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GCP

Mailed: January 27, 2015

Opposition No. 91211215

*Bohager Holdings, LLC*

v.

*Total Nutritional Holdings LLC*

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

On December 26, 2014, Applicant filed a proposed amendment to its application Serial No. 85608580, with Opposer's consent, and Opposer's withdrawal of the opposition (with Applicant's written consent) and Applicant's withdrawal of its corresponding counterclaim, (with Opposer's written consent) contingent upon entry of the amendment.

By the proposed amendment applicant seeks to amend the identification of goods from "**dietary and nutritional supplements**" to "**dietary and nutritional supplements excluding enzymes.**"

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).

**Opposition No. 91211215**

The contingency in Opposer's and Applicant's respective withdrawals having now been met, the opposition and corresponding counterclaim are dismissed **without prejudice**.