

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

MC/jk

Mailed: January 28, 2015

Opposition No. 91211397

Mag Instrument, Inc.

v.

Motorola Trademark Holdings, LLC

By the Trademark Trial and Appeal Board:

On December 5, 2014, applicant filed a proposed amendment to its application Serial No. 85792653, with opposer's consent, and opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to amend the identification of goods **from**: “mobile phones, smartphones and accessories therefor, namely, power adapters” **to**: “mobile phones, smartphones and accessories therefor, namely, power adapters, but not for use in connection with flashlights, headlamps or portable illumination devices other than phones and smart phones.”

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