

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

csg/RA

Mailed: January 31, 2014

Opposition No. 91212843

Nevro Corp.

v.

NeuroMetrix, Inc.

On January 15, 2014, the parties filed applicant's proposed amendment to its application Serial No. 85560536, with opposer's consent, and opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods, as indicated in underlined text below:

**from** "Medical devices, namely, patient-wearable and patient-controlled devices that provide therapeutic dosing of transcutaneous electrical nerve stimulation to a patient for the purpose of relieving pain"

**to** "Medical devices, namely, patient-wearable and patient-controlled devices that provide therapeutic dosing of transcutaneous electrical nerve stimulation to a patient for

the purpose of relieving pain, but not including implantable devices for spinal cord stimulation (SCS)."

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

The contingency in opposer's withdrawal having now been met, the opposition is dismissed without prejudice.

*By the Trademark Trial  
and Appeal Board*