

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Alexandria, VA 22313-1451
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CME/tdc

Mailed: August 19, 2014

Opposition No. 91212871

Anheuser-Busch, LLC

v.

C. Villanueva Company LLC d/b/a
Quality Brewers

By the Trademark Trial and Appeal Board:

On July 11, 2014, the parties' filed a stipulated motion to amend Applicant's involved application Serial No. 85674705, with Opposer's written consent, and to dismiss the opposition with prejudice contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to enter the following disclaimer: "Without waiving any claim of rights in the mark 'FRIO,' no claim is made to the exclusive right to use the English word 'cold.'"

For purposes of a disclaimer, the actual non-English word must be disclaimed, not the English translation. *See* TMEP § 1213.08(d) (April 2014) ("[An] applicant must disclaim the wording that actually appears in the mark, not the translated version"). Because Applicant by its proposed amendment attempts to disclaim the English translation of the non-English standard character mark FRIO, Applicant's motion to amend is **denied**. The Board

Opposition No. 91212871

further notes that a mark may not be disclaimed in its entirety. *See In re Sadoru Group, Ltd.*, 105 USPQ2d 1484, 1486 (TTAB 2012); *see also* TMEP § 1213.06.

Pursuant to the Board's order of August 14, 2014, proceedings remain suspended and will resume on the schedule set forth in the parties' August 14, 2014 motion.
