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

Tdc

Mailed: October 24, 2014

Opposition No. 91215265

TeleTracking Technologies, Inc.

v.

Comparion Medical Analytics, Inc.

M. Catherine Faint,
Interlocutory Attorney:

On September 30, 2014, applicant filed a proposed amendment to its application Serial No. 85855295, pursuant to a settlement agreement with opposer. It has come to the Board's attention that ESTTA, the Board's electronic system, granted opposer's October 8, 2014 motion to suspend, before an opportunity arose for consideration of the amendment filed by applicant on September 30, 2014.

By the proposed amendment applicant seeks to amend the description of services in International Class 42 from "providing temporary use of non-downloadable computer software for measuring, monitoring, and managing hospital and physician healthcare delivery using analytic processing of clinical and financial indicators, which compare provider resource utilization and clinical outcomes to norms and benchmarks to identify improvement opportunities and areas of competitive advantage, all for use by hospitals, health systems, payers, business coalitions, medical travel companies, and consulting firms" **to** "providing temporary use of non-downloadable computer software for measuring,

monitoring, and managing hospital and physician healthcare delivery using analytic processing of clinical and financial indicators, which compare provider resource utilization and clinical outcomes to norms and benchmarks to identify improvement opportunities and areas of competitive advantage, all for use by hospitals, health systems, payers, business coalitions, medical travel companies, and consulting firms; none of the foregoing services to assist in the operational flow of patients, staff, services, and assets in hospitals or healthcare facilities."

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and pursuant to a settlement agreement with opposer, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

In view thereof, the Board's October 8, 2014 order granting opposer's motion to suspend is hereby vacated and if this amendment to the application resolves the dispute herein, opposer is allowed until **THIRTY DAYS** from the mailing date of this order to file a withdrawal of the opposition.

If no response is filed, proceedings will be resumed and dates reset, as appropriate.

Proceedings are otherwise suspended.

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