

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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WINTER/tdc

Mailed: October 10, 2014

Opposition No. 91215865

Clarins Fragrance Group S.A.S.

v.

La Pierres, Inc.

By the Trademark Trial and Appeal Board:

On August 6, 2014, Opposer filed the parties' stipulation comprising a proposed amendment to application Serial No. 85669824, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.¹

By the proposed amendment, applicant seeks to amend the identification of goods in International Class 3, as follows,

From:² "(Based on Use in Commerce) After-shave lotions; After-sun lotions; Age retardant lotion; ~~Bathing lotions; Beauty lotions; Body lotion; Body lotions; Cosmetic preparations, namely, firming lotions; Cosmetic sun milk lotions; Cosmetic suntan lotions; Cosmetics in the form of milks, lotions and emulsions; Face and body lotions; Hand lotions; Lotions for cosmetic purposes; Lotions for face and body care; Massage lotions; Non-medicated skin care~~

¹ The services in International Class 44 remain unchanged.

² Wording to the deleted is lined through.

preparations, namely, creams, lotions, gels, toners, cleaners and peels; Skin creams, beauty serums and body powders,"

To:³ "(Based on Use in Commerce) Cosmetic products for the human body to the exclusion of products for fragrance or perfuming purpose, namely, after-shave lotions; after-sun lotions; age retardant lotion; body lotions; face and body lotions; hand lotions; lotions for face and body care; massage lotions; non-medicated skin care preparations to the exclusion of products for fragrance or perfuming purpose, namely, creams, lotions, gels, toners, cleaners and peels, skin creams, beauty serums and body powders."

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).

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

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³ The changes to the identification of goods are underlined and shown in bold type font.