

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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am/gcp

Mailed: April 11, 2016

Opposition No. 91218304

*Kosan Kozmetik Sanayi Ve Ticaret Anonim
Sirketi*

v.

Marcus Asam, Mirjam Asam and Axel Ruth

By the Trademark Trial and Appeal Board:

On March 23, 2016, Applicant filed a proposed amendment to application Serial No. 86080166, with Opposer's consent, Opposer's withdrawal with prejudice of the opposition and Applicant's withdrawal of its counterclaims with prejudice, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to amend the identification of goods as follows:

from

General purpose cleaning, polishing and abrasive liquids and powders; bleaching preparations for laundry use; cleaning, polishing, scouring preparations; general purpose abrasive liquids and powders; skin soaps; perfumery, essential oils, cosmetics, hair lotions; dentifrices.

to

General purpose cleaning, polishing and abrasive liquids and powders; bleaching preparations for laundry use; cleaning, polishing, scouring

preparations; general purpose abrasive liquids and powders; skin soaps; perfumery, and hair lotions; cosmetics, namely hair tonics, hair conditioners, preparations for hair cleaning, hair sprays, sun-tanning preparations, shaving foam and soap, cosmetic preparations for skin care, cleaning preparations for skin, skin tonics, moisturizers, skin care creams, tinted creams, makeup creams, beauty masks, ampoules, aftershave lotions and creams, deodorants for personal use, make-up removers namely cleanser, brightener; cosmetics, except styling gel, brilliantine, hair waving preparations, hair dyes, depilatory preparations, mouth washes not for medical purposes, tooth pastes, make-up, make-up preparations, make up powders, mascaras, cosmetic pencils, lipsticks, nail polish, nail varnish, nail polish remover, nail art stickers, eyebrow pencils, baby lotions, baby oil, baby power and cleaning milk for babies, eye shadows, eyeliners, eye pencils, eyebrow pencils, mascaras, blushers, concealer, acetone, nail dryer and rouges.

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 and Applicant's withdrawals having now been met, the opposition and counterclaim are dismissed *with prejudice*.