

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

RA

Mailed: August 11, 2016

Opposition No. 91218442

*Veeam Software AG*

*v.*

*Veam Inc.*

**Elizabeth A. Dunn, Attorney (571-272-4267):**

On June 20, 2016, Applicant filed its revised proposed amendment to its application Serial No. 85795280, with Opposer's consent.

By the proposed amendment applicant seeks to amend the identification of International Class 9 goods and International Class 42 services as follows:

International Class 9 from

Computer application software for mobile phones, portable media players, handheld computers, laptops, and desktops, namely, software for publishing multimedia content; Computer software for processing multimedia content, namely, digital music, images, and video files; and Computer software for computer system and application development, deployment and management for distributing and publishing multimedia content

To

Mobile software applications for others for publishing multimedia content, namely, digital music, images, and video files, excluding computer software for data back-up, data protection, data replication, disaster recovery, and related computer, cloud, and network monitoring services; and computer software for application development, deployment and management for others for publishing multimedia content namely, digital music, images, and video files, excluding computer software for data back-up, data protection, data replication, disaster recovery, and related computer, cloud, and network monitoring services

International Class 42, from  
Application service provider (ASP) featuring software for use in publishing  
multimedia content

To

Application service provider (ASP) featuring mobile application software  
managed and developed for others for use in publishing music, images, video  
content, fitness-related content, all of the above excluding computer software for  
data back-up, data protection, data replication, disaster recovery, and related  
computer, cloud, and network monitoring services

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).

If the amendment resolves this proceeding, opposer is allowed until thirty days from  
the mailing date of this order to file a withdrawal of the opposition, failing which the  
opposition will go forward on the application as amended. *See* Trademark Rule  
2.106(c).

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

Proceedings are otherwise suspended.