

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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kk/apb

Mailed: July 7, 2015

Opposition No. 91219522

Troy Healthcare, LLC

v.

Gensco Laboratories, LLC

By the Trademark Trial and Appeal Board:

On June 9, 2015, Applicant filed the parties' stipulation to the amendment of Applicant's involved application Serial No. 86092729 and the withdrawal of the opposition with prejudice upon entry of the amendment.

By the proposed amendment, Applicant seeks to add the word "Prescription" at the front of the identification of goods. As amended, the identification would read as follows: "Prescription pharmaceutical topical gels and ointments for transdermal delivery of analgesics, anti-inflammatories, anti neoplastic agents for the treatment of cancer, muscle relaxants, anaesthetics, peptides for the treatment of skin conditions, proteins for the treatment of wounds, growth factors for the treatment of burns, hormones, substance P antagonists for the prevention of nausea and vomiting, anti fungal preparations, antivirals, antibacterial substances for medical purposes, anti obesity drugs, homeopathic agents for the treatment of pain, anti anginal medications, hair growth stimulants, hair growth retardants, nutritional supplements, and anti metabolites for the treatment of cancer."

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The amendment is limiting in nature, as required by Trademark Rule 2.71(a). Because Opposer consents thereto, it is approved and entered. *See* Trademark Rule 2.133(a). In view of such entry, the opposition is dismissed with prejudice.