

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Alexandria, VA 22313-1451
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Mailed: March 18, 2015

Opposition No. 91220326

New Era Cap Co., Inc.

v.

New Era International, LLC

Cheryl S. Goodman, Administrative Trademark Judge:

On February 21, 2015, applicant filed a proposed amendment¹ to its application Serial No. 86316562, with opposer's consent.

By the proposed amendment applicant seeks to amend the identification of services from "Marketing consulting, namely, business marketing consultation with respect to nutrition and dietary supplements, nutritional snacks and drinks, water filtration, soaps and shampoos, home cleaning products, baby care, pet care, ~~personal care products and athletic apparel for others~~" to "Marketing consulting, namely, business marketing consultation with respect to nutrition and dietary supplements, nutritional snacks and drinks, water filtration, soaps and shampoos, home cleaning products, baby care, pet care."²

¹ Applicant's amendment does not indicate proof of service of a copy of same on counsel for opposer, as required by Trademark Rule 2.119. A copy of the amendment can be viewed using TTABVue at <http://ttabvue.uspto.gov>.

² The stricken-through wording has been deleted from the identification.

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.