

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

dmd

Mailed: February 17, 2015

Opposition No. 91220569

Tijs M. Verwest

v.

T-Mobile USA, Inc.

**Denise M. DelGizzi,
Technical Program Manager:**

On January 7, 2015, prior to the commencement of the instant proceeding, application filed a proposed amendment to its application Serial No. 86314001. Amendments filed between publication and the commencement of opposition proceedings are reviewed by a paralegal specialist in the office of the Deputy Commissioner for Trademark Examination Policy. See TMEP §1505.01(b).

By the proposed amendment applicant sought to amend the recitation of services in International Class 38 as follows:

from:

"Cellular telecommunications services, namely, transmission of music via cellular telecommunications networks and the Internet; streaming services, namely, transmission of audio, video and multimedia content"

to:

"Cellular telecommunications services, namely, transmission of music from third party streaming music providers via cellular telecommunications networks and the Internet; streaming services, namely, transmission of audio from third party streaming music"

providers; all of the foregoing provided solely in connection with cellular rate plans that exempt music streaming data from cellular rate plan data limits."

It has come to the Board's attention that the amendment was approved and entered on February 11, 2015 by the office of the Deputy Commissioner for Trademark Examination Policy. Accordingly, proceedings here are suspended and opposer is allowed until **THIRTY DAYS** from the mailing date of this order to notify the Board whether it wishes to proceed with this opposition with the amended recitation of services, or to have the opposition dismissed as a nullity. If opposer wishes to proceed, or no response is received, proceedings will be resumed and all remaining dates will be reset, beginning with the deadline for filing an answer to the notice of opposition.