

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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WINTER/vw

Mailed: February 9, 2016

Opposition No. 91222379

Cantarella Bros Pty Limited

v.

Mecanicos Unidos S.A.

By the Trademark Trial and Appeal Board:

On December 22, 2015, Opposer filed the parties' stipulation, comprising a proposed amendment to Applicant's involved application Serial No. 86336334, and Opposer's withdrawal with prejudice of the opposition, contingent upon entry of the amendment.

By the proposed stipulated amendment, Applicant seeks to change the identification of goods in International Classes 11 and 21 by deleting therefrom the wording "electric coffee makers" and "electric coffee makers for household purposes" (from Class 11) and "non-electric coffee makers" (from Class 21). The resulting identifications will therefore read as follows:¹

- *International Class 11*

Barbecue grills; barbecues and grills; charcoal grills; barbecue apparatus, namely, fuel starter in the nature of a metal container with a wooden handle into which fuel briquettes may be placed, lit, and then poured into a barbecue

¹ The goods in International Classes 7, 8 and 9 remain unchanged.

grill for the purpose of speeding up the ready to cook time of barbecue fuels; electric slow cookers; electrical ice cream makers; ice cream makers, electric or non-electric; electric yogurt makers; bread-making machines; automatic bread-making machines for domestic use; electric food dehydrators; electric toaster ovens; electric popcorn poppers; electric boilers; electric kettles; electric kettles for household purposes; fondue pots with heat source; electric ranges; gas burners; gas burners for household use; gas cooktops; electric roasters.

- *International Class 21*

Utensils for barbecues, namely, forks, tongs, turners; household utensils, namely, kitchen tongs; vegetable mashers; household utensils, namely, whisks; non-electric whisks; cooking utensils, namely, barbecue branders; cleaning brushes for household use; cleaning pans for grill cooking grids and cooking grates, namely, grill soakers; grills in the nature of cooking utensils; cooking utensils, namely, grills; draining spoon; kitchen utensils, namely, roast holders; charcoal fuel holders for household purposes; mugs; non-electric juicers; Non-electric food blenders for household purposes; earthenware basins, namely, bowls not parts of sanitary installations; mops; floor brushes; cooking sifters; cooking graters; graters for kitchen use; household utensils, namely, graters; garlic presses; household utensils, namely, pot and pan scrapers; mixing bowls; bowls; ice cream scoops; wooden cooking spoons; pasta serving forks; cooking forks; wine openers; ice cube trays; salad spinners; cheese board and knife set; gloves for household purposes; household gloves for general use; cookware, namely, pots, pans, griddles; non-electric pressure cookers; frying pans; casseroles; non-electric meat grinders; household containers for foods; non-electric cooking pots and pans; pans; metal cooking pans; reamers for fruit juice.

The deletions are limiting in nature as required by Trademark Rule 2.71(a), and because Opposer consents thereto, they are approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Opposer's withdrawal having now been met, the opposition is dismissed **with prejudice**.