

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

Ey/DUNN

Mailed: September 16, 2015

Opposition No. 91222801

Lumber Liquidators Services, LLC

v.

Peter Pandolfi DBA Bella Basements

By the Trademark Trial and Appeal Board:

On September 10, 2015, Applicant filed a proposed amendment to its application Serial No. 86382985, with Opposer's consent, and Opposer's withdrawal of the opposition and motion for judgment on the pleadings, contingent upon entry of the amendment.

By the proposed amendment Applicant seeks to amend the recitation of services in International Class 37 as follows (the proposed additions are shown in bold text).

From: General construction contracting

To: General construction contracting, **excluding services related to installing, cleaning, finishing, and maintaining flooring products.**

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).

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The contingency in Opposer's withdrawal having now been met, the motion for judgment on the pleadings will receive no further consideration and the opposition is dismissed in accordance with the agreement between the parties.