

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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General Contact Number: 571-272-8500

VV/gcp

Mailed: November 4, 2015

Opposition No. 91223332

Paramount Farms International LLC

v.

Dutch Valley Food Distributors, Inc.

**George C. Pologeorgis,
Interlocutory Attorney:**

On October 27, 2015, Applicant filed a proposed amendment to its application Serial No. 86338601, with Opposer's consent and pursuant to parties' settlement agreement.

By the proposed amendment, Applicant seeks to amend the identification of goods in International Classes 29 and 30 of the involved application as follows:

International Class 29

From

Snack mix consisting of processed nuts, candied nuts, chocolate covered coffee beans, and candy; Snack mix consisting of processed mixed nuts, candy, candied nuts, and chocolate covered raisins; Snack mix consisting of candied nuts, mixed nuts, sesame sticks, dried fruit, processed coconut, and cereal pieces; Snack mix consisting primarily of processed nuts, and also including candy; Spicy nuts, namely, mixed nuts; seasoned nuts; Snack mix consisting of dried fruit, processed coconut, macadamia nuts, and candied nuts; Snack mix consisting primarily of candied nuts and also including chocolate covered coffee beans.

To

Processed mixed nuts, candy, candied nuts, and chocolate covered raisins; Snack mix consisting of candied nuts, mixed nuts, sesame sticks, dried fruit, processed coconut, and cereal pieces; Snack mix consisting primarily of processed nuts, and also including candy; Spicy nuts, namely, mixed nuts; seasoned nuts; Snack mix consisting of dried fruit, processed coconut, macadamia nuts, and candied nuts; Snack mix consisting primarily of candied nuts and also including chocolate covered coffee beans; all specifically excluding goods made of pistachios only or for which pistachios are the main ingredient.

International Class 30

From

Candy; chocolate candies; Gummy candies; Snack mix consisting of yogurt-covered pretzels, yogurt-covered raisins, yogurt-covered dried fruit, yogurt-covered candy, dried fruit, cereal pieces, and cookies; Snack mix consisting of seasoned sesame sticks, corn sticks, pita chips, cereal pieces and almonds.

To

Candy; chocolate candies; Gummy candies; Snack mix consisting of yogurt-covered pretzels, yogurt-covered raisins, yogurt-covered dried fruit, yogurt-covered candy, dried fruit, cereal pieces, and cookies; Snack mix consisting of seasoned sesame sticks, corn sticks, pita chips, cereal pieces and almonds; all specifically excluding goods made of pistachios only or for which pistachios are the main ingredient.

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because Opposer has consented thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

If the amendment resolves this proceeding, Opposer is allowed until **thirty (30) 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).

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If no response is filed, proceedings will be resumed and dates reset, as appropriate.

Proceedings are otherwise suspended.