

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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RK/mt

Mailed: June 29, 2016

Opposition No. **91225056**

Canvas X Software, Inc.

v.

Instructure, Inc.

By the Trademark Trial and Appeal Board:

On June 15, 2016, Applicant filed a second proposed amendment to its involved **Application Serial No. 85632326**, with Opposer's written consent, and Opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the recitation of services in International Class 42 as follows (amendment in bold):

From: Application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network; in International Class 42.

To: Application service provider (ASP) featuring software to enable uploading, posting, showing, displaying, tagging, blogging, sharing or otherwise providing electronic media or information over the Internet or other communications network, **all excluding technical graphics or imaging, and technical graphic or imaging software and pertinent support services in the fields of science, engineering, aviation, petrochemical, and geographical information systems;** in International Class 42.

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).

The contingency in Opposer's withdrawal having now been met, the opposition is **DISMISSED** in accordance with the agreement between the parties.

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