

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Mailed: October 11, 2016

Opposition No. 91225901

*Specialty Retailers, Inc.*

*v.*

*Dan J Gordon, Andrew J Gordon*

**By the Trademark Trial and Appeal Board:**

On October 5, 2016, Applicant filed a proposed amendment to application Serial No. 86665765, with Opposer's written consent.<sup>1</sup>

By the proposed amendment, Applicant seeks to amend the identification of goods by deleting International Class 25 in its entirety.<sup>2</sup>

In an opposition to an application having multiple classes, if the applicant files a request to amend the application to delete an opposed class, the request for amendment is, in effect, an abandonment of the application with respect to that class and is governed by Trademark Rule 2.135.

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<sup>1</sup> The Board acknowledges that Applicant included proof of service that it forwarded a copy of the proposed amendment to Opposer. However, the address on the certificate of service is not Opposer's current address of record. The Board also notes that the address in Opposer's signature block is not the address of record. A copy of the proposed amendment may be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

<sup>2</sup> The unopposed goods in International Classes 28 and 38 remain unchanged.

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In view thereof, and because Opposer's written consent to the abandonment of International Class 25 is of record, application Serial No. 86665765 stands abandoned as to International Class 25, and the opposition is dismissed without prejudice. *See* Trademark Rule 2.135.