

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

WINTER/jmw

Mailed: April 18, 2016

Opposition No. 91225966

*SSP Financing UK Limited*

*v.*

*New York's Upper Crust Pizza Franchising  
Company*

**BY THE TRADEMARK TRIAL AND APPEAL BOARD:**

On March 24, 2016, Applicant filed the parties' stipulated proposed amendment to application Serial No. 86339358 and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.<sup>1</sup>

By the proposed amendment, Applicant seeks to amend the recitation of services in International Class 43 follows:

From: "Restaurant services,"

To: "Restaurant services **featuring pizza, not located within a five (5) kilometer radius of any interstate or international airport, train station, bus station or ferry terminal.**"

---

<sup>1</sup> The wording in bold type font constitutes Applicant's proposed amendment.

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 without prejudice.

\*\*\*