

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

AL/TLC

Mailed: February 5, 2007

Cancellation No. 92044835

MCLAUGHLIN GORMLEY KING  
COMPANY

v.

AGRIGUARD COMPANY, LLC

***Tina Craven, Paralegal Specialist:***

On April 24, 2006, respondent filed a proposed amendment to its Registration No. 2882139, with petitioner's consent.<sup>1</sup>

By the proposed amendment respondent seeks to change the identification of goods in Class 5 from:

International Class 5: Pesticides for agricultural and horticultural use  
**to:**

International Class 5: Nematicides and fungicides for agricultural and horticultural use

Inasmuch as the amendment complies with all of the procedural requirements of Trademark Rule 2.173, it is clearly limiting in nature, and petitioner consents thereto, it is approved. See Trademark Rule 2.133(a).

The registration file will be forwarded to the Post Registration Branch of this Office for appropriate action in accordance with Section 7(e) of the Trademark Act.

If this resolves the dispute herein, petitioner is allowed until **thirty days** from the mailing date of this order to file a withdrawal of the petition to cancel, failing which the petition to cancel will go forward on the registration as amended. See Trademark Rule 2.114(c).

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<sup>1</sup>Defendant's motion (filed June 5, 2006) to suspend proceedings is noted.