

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

RK/am

Mailed: January 10, 2012

Cancellation No. **92052314**

Mother Parker's Tea & Coffee, Inc.

v.

Cafe Mystique Inc.

Yong Oh (Richard) Kim, Interlocutory Attorney:

On October 26, 2011, respondent filed a proposed amendment to its Registration No. 3514570, with petitioner's written consent. On November 15, 2011, petitioner filed a withdrawal of the petition with prejudice with respondent's consent pursuant to an agreement between the parties.

By the proposed amendment respondent seeks to change the identification of goods as follows:

From: Coffees; in International Class 30;

To: Coffees, excluding coffees for in-flight airline beverage services; in International Class 30.

While the amendment is clearly limiting in nature, and petitioner consents thereto, see Trademark Rule 2.133(a), the amendment is not supported by a declaration under Trademark Rule 2.20. See Trademark Rule 2.173.

Cancellation No. 92052314

Accordingly, respondent is allowed until **THIRTY DAYS** from the mailing date of this order to resubmit its amendment supported by a declaration under Trademark Rule 2.20 and with petitioner's consent, failing which the proposed amendment will be given no further consideration. As petitioner's withdrawal is presumably contingent on the Board's allowance of respondent's amendment, consideration of petitioner's motion is **DEFERRED** pending disposition of respondent's motion to amend.

Proceedings are otherwise **SUSPENDED**.

* * *