

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

vw/gcp

Mailed: August 15, 2012

Cancellation No. 92053787

Everett W. James aka  
Tad James

v.

Metagenics, Inc.

**George C. Pologeorgis,  
Interlocutory Attorney:**

On August 1, 2012, the parties filed registrant's proposed amendment to its Registration No. 3467675, with petitioner's written consent. By the proposed stipulated amendment, registrant seeks to change the identification of goods and services in Classes 16 and 41 **from:**

International Class 16: "Printed educational materials and printed practice management materials for healthcare practitioners, namely, printed books for patient education on the subject of health and nutrition, printed books for practice management on the subjects of health and nutrition, printed books for professional education on the subjects of health and nutrition, posters and brochures for patient education and professional education on the subjects of health and nutrition";

**to:**

International Class 16: "Printed educational materials and printed practice management materials for licensed healthcare practitioners, namely, printed books for distribution to licensed healthcare practitioners for patient education on the subject of managing, counseling

and guiding patients with physical illnesses and chronic physical health conditions; printed books for distribution to licensed healthcare practitioners for practice management on the subjects of managing, counseling and guiding patients with physical illnesses and chronic physical health conditions; printed books for distribution to licensed healthcare practitioners for professional education on the subjects of managing, counseling and guiding patients with physical illnesses and chronic physical health conditions; posters and brochures for distribution to licensed healthcare practitioners for patient education and professional education, both on the subjects of managing, counseling and guiding patients with physical illnesses and chronic physical health conditions."

**from:**

International Class 41: "Educational and practice management seminars for healthcare practitioners in the fields of health and nutrition";

**to:**

International Class 41: "Educational and practice management seminars for licensed healthcare practitioners in the fields of managing, counseling and guiding patients with physical illnesses and chronic physical health conditions."

While the amendment is clearly limiting in nature, and petitioner consents thereto, as required under Trademark Rules 2.133(a) and 2.173(b), the appropriate fee has not been paid. See Trademark Rules 2.6(11) and 2.173.

Accordingly, registrant is allowed twenty days from the mailing date of this order to submit the appropriate fee, failing which the proposed amendment will be given no further consideration.

Proceedings are otherwise suspended.