

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

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Mailed: July 1, 2013

Cancellation No. 92056495

Prosa Productos Naturales,  
S.A. de C.V.

v.

Moshe Inc. DBA Scent-Sation

On April 19, 2013, the Board granted respondent's stipulated motion to amend its Registration No. 3615913 and allowed respondent time in which to submit the requisite fee. Respondent submitted the fee on May 17, 2013.

By proposed amendment, respondent seeks to change the identification of goods in International Class 3 from:

"Colognes, perfumes and cosmetics; Cosmetics in general, including perfumes; Disinfecting perfumed soaps; Eau de perfume; Essential oils as perfume for laundry purposes; Liquid perfumes; Oils for perfumes and scents; Perfume; Perfume oils; Perfume oils for the manufacture of cosmetic preparations; Perfumed creams; Perfumed extracts for tissues and perfumes; Perfumed paste; Perfumed powder; Perfumed powders; Perfumed soap; Perfumed soaps; Perfumed talcum powder; Perfumes; Perfumes and colognes; Perfumes and toilet waters; Perfumes, aftershaves and colognes; Perfumes, eau de colognes and aftershaves; Perfumes, eaux de cologne and aftershaves; Perfuming sachets"

to:

"perfumes, aftershaves and colognes.

For information purposes only, inasmuch as the amendment is clearly limiting in nature, the amendment to the identification of goods is deemed acceptable. See Trademark Rules 2.133(a) and 2.173(b), 37 C.F.R. §§ 2.133(a) and 2.173(b).

However, Trademark Rule 2.173(a), 37 C.F.R. § 2.173(a) requires that when the registration sought to be amended is involved in an inter parties proceeding before the Board, the motion to amend the registration must be signed by the registrant and verified or supported by a declaration under Trademark Rule 2.20, 37 C.F.R. § 2.20, and the appropriate fee must be paid.<sup>1</sup> Respondent's motion to amend the registration does not include the required verification or declaration.<sup>2</sup>

Accordingly, consideration of respondent's motion to amend is deferred. Respondent is allowed until **THIRTY DAYS** from the mailing date of this order to file the required verification or declaration, failing which the petition to cancel will go forward on the registration as issued and dates, including respondent's due date for filing an answer will be reset.

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<sup>1</sup> As mentioned in the open paragraph, the fee to amend the registration has been submitted.

<sup>2</sup> The Board regrets that it failed to ask for the declaration in its April 19, 2013 order.

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