

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

Am

Mailed: September 17, 2013

Cancellation No. 92057050

Bio-Reference Laboratories,
Inc.

v.

CareEvolution, Inc.

Andrew P. Baxley, Interlocutory Attorney:

On August 21, 2013, respondent filed a proposed amendment to involved Registration No. 4304005, with petitioner's consent. In a September 5, 2013 order, the Board noted that respondent did not file the appropriate fee or the required declaration under Trademark Rule 2.20. The Board allowed respondent time to submit the required fee and declaration, and, on September 10, 2013, respondent submitted the required fee and declaration.

The amendment complies with the procedural requirements of Trademark Rule 2.173 and is limiting in nature. Because petitioner consents thereto, it is approved. See Trademark Rule 2.133(a). The amendment will be forwarded to the Post Registration Branch of this Office for appropriate action in accordance with Section 7(e) of the Trademark Act.

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If approval of the amendment resolves this case, petitioner should withdraw the petition to cancel within thirty days of the mailing date set forth in this order, failing which the petition to cancel will go forward on the registration as amended. See Trademark Rule 2.114(c).