

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

Nmt/apb

Mailed: May 13, 2014

Cancellation No. 92057578

Sid Tool Co., Inc. d/b/a MSC Industrial  
Supply Co.

v.

BioLargo, Inc.

**By the Trademark Trial and Appeal Board:**

In compliance with the Board's April 21, 2014 order, respondent, on April 28, 2014, filed a declaration and filing fee in support of the parties' stipulation (filed February 28, 2014) to the amendment of involved Registration No. 4073384 and to the withdrawal of the petition to cancel upon entry of the amendment.

By the proposed amendment with prejudice, the parties seek to delete International Class 1 from involved Registration No. 4073384 and to change the identification in International Class 5 in that registration from "All purpose disinfectants" to "All purpose disinfectants for pet care."

In view thereof, Registration No. 4073384 is surrendered with prejudice in International Class 1. See Trademark Rule 2.134(a); TBMP Section 602.02(a). Registration No. 4073384 will be cancelled in International Class 1 in due course.

The amendment in International Class 5 complies with Trademark Rule 2.173 and is limiting in nature. Because petitioner consents thereto, the amendment is approved. *See* Trademark Rule 2.133(a). The amendment will be forwarded to the Post-Registration Branch of this Office for entry.<sup>1</sup> The registration is surrendered with prejudice with regard to deleted goods in International Class 5.

The contingency in petitioner's withdrawal having now been met, the petition to cancel is dismissed without prejudice. *See* Trademark Rule 2.114(c).

---

<sup>1</sup> A copy of the Board's order granting the amendment, and respondent's declaration, will be forwarded electronically for uploading to the record of the registration.