

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

CME/vw

Mailed: November 9, 2015

Cancellation No. 92061969

Anki Inc.

v.

Molner Andres Francisco Javier

Christen M. English, Interlocutory Attorney:

On October 14, 2015, the parties filed a stipulated motion to amend Respondent's involved Registration Nos. 4629562 and 4633575 and to withdraw the petition for cancellation, contingent upon entry of the amendments. By the proposed amendments, Respondent seeks to amend the identification of goods in International Class 28 in both registrations as follows:¹

From:²

Action figures; Action-type target games; Arcade games; Baby multiple activity toys; Bath toys; Board games; Bubble making wand and solution sets; Card games; Cat toys; Chess pieces; Christmas tree ornaments and decorations; Coin-operated amusement machines; Construction toys; Crib toys; Customized dolls having a face in the form of a particular adolescent who has unexpectedly or tragically died; Gymnastic apparatus; Hand-held electronic games adapted for use with television receivers only; Home video game machines; Mechanical toys; Musical toys; Parlour games; Play yards in

¹ The goods in International Classes 16, 18 and 25 are not subject to the cancellation action and are to remain unchanged.

² Language that is proposed to be deleted appears in strike through.

the nature of outdoor play structures; Plush toys; Puzzles; Ride-on toys; Role playing games; Squeezable squeaking toys; Stand alone video game machines; Target games; Toy boxes; Toy building blocks; Toy construction blocks; ~~Toy model vehicles and related accessories sold as units~~; Toy pistols; ~~Toy robots~~; Toy swords; Toy trains and parts and accessories therefor; ~~Toy vehicles~~; Video game consoles for use with an external display screen or monitor; Video game interactive remote control units; Video game machines for use with televisions.

To:

Action figures; Action-type target games; Arcade games; Baby multiple activity toys; Bath toys; Board games; Bubble making wand and solution sets; Card games; Cat toys; Chess pieces; Christmas tree ornaments and decorations; Coin-operated amusement machines; Construction toys; Crib toys; Customized dolls having a face in the form of a particular adolescent who has unexpectedly or tragically died; Gymnastic apparatus; Hand-held electronic games adapted for use with television receivers only; Home video game machines; Mechanical toys; Musical toys; Parlour games; Play yards in the nature of outdoor play structures; Plush toys; Puzzles; Ride-on toys; Role playing games; Squeezable squeaking toys; Stand alone video game machines; Target games; Toy boxes; Toy building blocks; Toy construction blocks; Toy pistols; Toy swords; Toy trains and parts and accessories therefor; Video game consoles for use with an external display screen or monitor; Video game interactive remote control units; Video game machines for use with televisions.

The proposed amendments to International Class 28 are clearly limiting in nature, and Petitioner's consent is of record as required by Trademark Rules 2.133(a) and 2.173(b); however, the required fees for the amendments have not been paid and the proposed amendments are not verified or supported by a declaration under Trademark Rule 2.20. *See* Trademark Rule 2.6 and 2.173.

Accordingly, Respondent is allowed **thirty (30) days from the mailing date of this order** to submit the required fees and declaration in support of the proposed amendments, failing which the amendments will be given no further consideration.

Cancellation No. 92061969

In view of the foregoing, the Board defers consideration of Petitioner's request to withdraw the opposition.

Proceedings are otherwise suspended.

* * *