

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

Mailed: August 18, 2016

Cancellation No. 92063507

*Mary's Gone Crackers, Inc.*

v.

*LUV Ice Cream*

George C. Pologeorgis,  
Administrative Trademark Judge:

On August 4, 2016, Respondent filed a proposed amendment to its Registration No. 4904042, with Petitioner's consent.

By the proposed amendment Respondent seeks to amend the identification of goods in International Class 30 to specifically exclude cookies. Accordingly, the proposed amendment is as follows (proposed additions are in bold):

From: Gluten-free desserts, namely, no-sugar-added dairy ice creams; non-dairy no-sugar-added frozen confections; no-sugar-added chocolates and candy bars; sugar-free and no-sugar-added candies, no-sugar-added bakery desserts

To: Gluten-free desserts, namely, no-sugar-added dairy ice creams; non-dairy no-sugar-added frozen confections; no-sugar-added chocolates and candy bars; sugar-free and no-sugar-added candies, no-sugar-added bakery desserts; **none of the foregoing including cookies.**

Although the amendment is otherwise acceptable, it was not verified or supported by a declaration under Trademark Rule 2.20. *See* Trademark Rules 2.133(a) and 2.173(b).

Accordingly, Respondent is allowed until **September 2, 2016** to submit the required declaration in support of the amendment, failing which said amendment will be given no further consideration.

Proceedings are otherwise suspended pending Respondent's response to this order.