

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

King

Mailed: August 13, 2003

Opposition No. 91122862

EDMONT P. D'ASCOLI

v.

HARDCORE ENTERPRISES PTY.
LTD.

Frances S. Wolfson, Interlocutory Attorney:

On May 8, 2003, applicant filed a proposed amendment to its application Serial No. 75/879,643, with opposer's consent.

By the proposed amendment applicant seeks to change the identification of goods **from** "CLOTHING, NAMELY ANKLETS, ANORAKS, PARKAS, ATHLETIC UNIFORMS, BANDANNAS, HEAD BANDS, NECK BANDS, SWEAT BANDS, WRIST BANDS, BATHING CAPS, BATHING SUITS, BATHING TRUNKS, BEACH COVER-UPS, BEACHWEAR, MONEY BELTS, CLOTHING BELTS, BERETS, BERMUDA SHORTS, BIKINIS, BLAZERS, BODY SUITS, BOTTOMS, BOXER SHORTS, BRIEFS, BABY BUNTING, CARDIGANS, CHAPS, CLOGS, COATS, FUR COATS, LAB COATS, LEATHER COATS, OVER COATS, RAIN COATS, SPORT COATS, SUIT COATS, TOP COATS, WAIST COATS, COLLARS, COVERALLS, COVER-UPS, CRAVATS, CREEPERS, CUFFS, DICKEYS, DUNGAREES, EAR MUFFS, FOUL WEATHER GEAR, FOUNDATION GARMENTS, FUR JACKETS, GAITERS, GALOSHES, GLOVES, SKI GLOVES, GOLF SHIRTS, GREATCOATS, GYM SHORTS, GYM SUITS, HEELS, HOODS, INFANTWEAR, INNER SOLES, HEEL

INSERTS, INSOLES, JACKETS, BED JACKETS, LEATHER JACKETS, WIND
RESISTANT JACKETS, JEANS, JERSEYS, JODHPURS, JOGGING SUITS,
JUMPERS, JUMPSUITS, KERCHIEFS, KNICKERS, LEG WARMERS,
LEGGINGS, LEOTARDS, LINGERIE, LOUNGEWEAR, MINISKIRTS, MITTENS,
MOCCASINS, MUFFLERS, NECKERCHIEFS, NECKTIES, NECKWEAR,
OVERALLS, OVERCOATS, OVERSHOES, PANTS, BALLOON PANTS, SKI
PANTS, SNOW PANTS, SWEAT PANTS, TAP PANTS, PANTSUITS, PEDAL
PUSHERS, POLO SHIRTS, PONCHOS, PULLOVERS, QUILTED VESTS,
RAINWEAR, ROBES, ROMPERS, SCARVES, CLOTHING SHIRTS, SHIRTS,
KNIT SHIRTS, NIGHT SHIRTS, SPORT SHIRTS, SWEATSHIRTS, T-
SHIRTS, UNDER SHIRTS, SHORTS, SWEAT SHORTS, SINGLETS, BOOTIES,
TOE BOXES, SKI BOOT BAGS, SKI SUITS, SKI WEAR, SKIRTS, SLACKS,
SLEEPWEAR, SLIPPERS, SLIPS, SOCKS, THERMAL SOCKS, STOCKINGS,
STOLES, FUR STOLES, SUITS, FLIGHT SUITS, PLAY SUITS,
SWEATSUITS, SNOW SUITS, VESTED SUITS, WARMERS, WARM-UP SUITS,
WET SUITS, SWEATERS, TURTLENECK SWEATERS, V-NECK SWEATERS,
SWEATSOCKS, SWIM TRUNKS, SWIMWEAR, SWIMSUITS, TANGAS, TANK
TOPS, TENNIS WEAR, THERMAL UNDERWEAR, BOW TIES, TIES, HALTER
TOPS, CLOTHING TOPS, TRACKSUITS, TROUSERS, TURTLENECKS,
UNDERCLOTHES, UNDERGARMENTS, UNDERPANTS, UNDERSHIRTS,
UNDERWEAR, VESTS, FISHING VESTS; CAPS, HATS, HEADWEAR, SUN
VISORS, VISORS, ATHLETIC FOOTWEAR, GOLF SHOES, FOOTWEAR,
RUBBERS, SANDALS, SHOES, ATHLETIC SHOES, BOOTS, SKI BOOTS,
AFTER SKI BOOTS, AND SNEAKERS" to "CLOTHING, NAMELY ANKLETS,
ANORAKS, PARKAS, ATHLETIC UNIFORMS, BANDANNAS, HEAD BANDS,
NECK BANDS, SWEAT BANDS, WRIST BANDS, BATHING CAPS, BATHING
SUITS, BATHING TRUNKS, BEACH COVER-UPS, BEACHWEAR, MONEY

BELTS, CLOTHING BELTS, BERETS, BERMUDA SHORTS, BIKINIS,
BLAZERS, BODY SUITS, BOTTOMS, BOXER SHORTS, BRIEFS, BABY
BUNTING, CARDIGANS, CHAPS, CLOGS, COATS, FUR COATS, LAB COATS,
LEATHER COATS, OVER COATS, RAIN COATS, SPORT COATS, SUIT
COATS, TOP COATS, WAIST COATS, COLLARS, COVERALLS, COVER-UPS,
CRAVATS, CREEPERS, CUFFS, DICKEYS, DUNGAREES, EAR MUFFS, FOUL
WEATHER GEAR, FOUNDATION GARMENTS, FUR JACKETS, GAITERS,
GALOSHES, GLOVES, SKI GLOVES, GOLF SHIRTS, GREATCOATS, GYM
SHORTS, GYM SUITS, HEELS, HOODS, INFANTWEAR, INNER SOLES, HEEL
INSERTS, INSOLES, JACKETS, BED JACKETS, LEATHER JACKETS, WIND
RESISTANT JACKETS, JEANS, JERSEYS, JODHPURS, JOGGING SUITS,
JUMPERS, JUMPSUITS, KERCHIEFS, KNICKERS, LEG WARMERS,
LEGGINGS, LEOTARDS, LINGERIE, LOUNGEWEAR, MINISKIRTS, MITTENS,
MOCCASINS, MUFFLERS, NECKERCHIEFS, NECKTIES, NECKWEAR,
OVERALLS, OVERCOATS, OVERSHOES, PANTS, BALLOON PANTS, SKI
PANTS, SNOW PANTS, SWEAT PANTS, TAP PANTS, PANTSUITS, PEDAL
PUSHERS, POLO SHIRTS, PONCHOS, PULLOVERS, QUILTED VESTS,
RAINWEAR, ROBES, ROMPERS, SCARVES, CLOTHING SHIRTS, SHIRTS,
KNIT SHIRTS, NIGHT SHIRTS, SPORT SHIRTS, SWEATSHIRTS, T-
SHIRTS, UNDER SHIRTS, SHORTS, SWEAT SHORTS, SINGLETS, BOOTIES,
TOE BOXES, SKI BOOT BAGS, SKI SUITS, SKI WEAR, SKIRTS, SLACKS,
SLEEPWEAR, SLIPPERS, SLIPS, SOCKS, THERMAL SOCKS, STOCKINGS,
STOLES, FUR STOLES, SUITS, FLIGHT SUITS, PLAY SUITS,
SWEATSUITS, SNOW SUITS, VESTED SUITS, WARMERS, WARM-UP SUITS,
SWEATERS, TURTLENECK SWEATERS, V-NECK SWEATERS, SWEATSOCKS,
SWIM TRUNKS, SWIMWEAR, SWIMSUITS, TANGAS, TANK TOPS, TENNIS
WEAR, THERMAL UNDERWEAR, BOW TIES, TIES, HALTER TOPS, CLOTHING

TOPS, TRACKSUITS, TROUSERS, TURTLENECKS, UNDERCLOTHES, UNDERGARMENTS, UNDERPANTS, UNDERSHIRTS, UNDERWEAR, VESTS, FISHING VESTS; CAPS, HATS, HEADWEAR, SUN VISORS, VISORS, ATHLETIC FOOTWEAR, GOLF SHOES, FOOTWEAR, RUBBERS, SANDALS, SHOES, ATHLETIC SHOES, BOOTS, SKI BOOTS, AFTER SKI BOOTS, AND SNEAKERS, EXCLUDING WETSUIT BOOTIES, WETSUIT GLOVES, WETSUIT CAPS, WETSUIT HOODS, AND CLOTHING MADE OF NEOPRENE MATERIAL."

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and because opposer consents thereto, it is approved and entered. See Trademark Rule 2.133(a).

If this resolves the dispute herein, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).