

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Baxley

Mailed: January 8, 2004

Opposition No. **91150731**

NILES AUDIO CORPORATION, INC.

v.

LIEBERT CORPORATION

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

On October 27, 2003, the parties filed a stipulation to amend applicant's involved application Serial No. 76071958, and to withdraw the opposition upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods **from** "electronic controller for uninterruptible power supplies for use with computers and telecommunications equipment" **to** "electronic controller for uninterruptible power supplies for use with computers and telecommunications equipment, and not sold in retail stores."

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

The contingency in opposer's withdrawal having now been met, the opposition is dismissed in accordance with the agreement between the parties.