

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

Baez

Mailed: July 14, 2004

Opposition No. 91156163

Speedway SuperAmerica LLC

v.

Supermoms, Inc.

Karen Kuhlke, Attorney:

On May 13, 2004, applicant filed a proposed amendment to its application Serial No. 76/320,678, with opposer's consent.

By the proposed amendment applicant seeks to amend the identification of goods in International Class 35 as follows:

"Retail store services in promotion of a continuing variety show featuring clothing, jewelry, and consumer home products excluding cups and dishware."

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).¹

¹ International Class 41 remains unchanged.