

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

AM/MCF

Mailed: May 26, 2011

Opposition No. 91161183
Opposition No. 91162981
Opposition No. 91163494
Opposition No. 91164137
Opposition No. 91164807
Opposition No. 91185077

ING Direct Bancorp

v.

Orange Brand Services
Limited

and

Orange Brand Services
Limited

v.

ING Direct Bancorp

Opposition No. 91189140

Orange Brand Services, Ltd.

v.

ING Direct Bancorp.

Opposition Nos. 91161183 (parent), 91162981, 91164137, and
91164807

On May 10, 2011, applicant filed proposed amendments to its application Serial Nos. 76309149, 76975297, 76142527, and 75854524, with opposer's consent.¹

By the proposed amendments applicant seeks to change the identification of services in Class 36 only **from** "Insurance, namely insurance administration, insurance agencies, insurance brokerage, insurance claims processing, insurance consultation, insurance actuarial services, insurance subrogation and salvage; insurance and financing of telecommunications apparatus, systems and installations; credit card and transaction services; provision of electronic funds transfer services; financial services, namely venture capital financial services; banking services; investment and fund management services; administration of funds and investments; on-line valuation services in the fields of real estate, personal property; real estate affairs, namely brokerage, appraisal, acquisition, investment, mortgage brokerage, mortgage lending and real estate property management and consultation rendered in conjunction therewith; financial information services, namely providing stock exchange quotations and stocks and shares information; stocks and bonds brokerage; charitable fund raising services, namely organizing charitable collections and fund raising activities;

¹ Applicant filed seven separate motions to amend on the same date addressing the involved applications. The Board issues this consolidated order addressing those seven motions to amend. On May 13, 2011, applicant filed an abandonment of its application serial No. 77159882, which is also addressed by this order.

financial sponsorship in the area of sports, cultural activities and the arts; information and consulting services relating to insurance, home and Internet banking, stocks and share information, stocks and bonds brokerage, provided on line from a computer database or the Internet; betting, wagering; providing an on-line computer database in the fields of finance, real estate, stocks and shares"

to "Financing of telecommunications apparatus, systems and installations; charitable fund raising services, namely organizing charitable collections and fund raising activities; financial sponsorship in the area of sports, cultural activities and the arts; providing extended warranties and insurance for telecommunications and computing equipment and devices, telecommunications and computing networks and systems, broadband and other Internet access services."

Inasmuch as the amendments are clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, they are 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 oppositions, failing which the oppositions will go forward on the applications as amended. See Trademark Rule 2.106(c).

By its May 10, 2011 filing, applicant proposed an amendment to its application Serial No. 75877398 with opposer's consent. The application is the subject of Opposition Nos. 91163494 and 91185077, which are part of this consolidated proceeding, and Opposition No. 91189140 which is not part of this consolidated proceeding. Counsel for all parties to the subject opposition proceedings have consented to the following amendment. In view thereof, the Board issues this single order for both proceedings.

By the proposed amendment applicant seeks to change the identification of services in Class 36 only **from** "Insurance, namely, insurance administration, insurance agencies, insurance brokerage, insurance claims processing, insurance consultation, insurance actuarial services, insurance subrogation and salvage and financing of telecommunications apparatus, systems and installations; credit card and transaction services; financial information services, namely providing stock exchange quotations and stocks and shares information; stocks and bonds brokerage; charitable fund raising services, namely organizing charitable collections and fund raising activities; financial sponsorship in the areas of sports, cultural activities and the arts; information and consulting services relating to insurance, financial affairs, monetary affairs, home and on-line banking, real estate affairs, stocks and share information, stocks and bonds brokerage, provided on-line from a computer database or the

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Internet; providing an on-line computer database in the field of financial, real estate, stocks and shares"

to "Financing of telecommunications apparatus, systems and installations; charitable fund raising services, namely organizing charitable collections and fund raising activities; financial sponsorship in the area of sports, cultural activities and the arts; providing extended warranties and insurance for telecommunications and computing equipment and devices, telecommunications and computing networks and systems, broadband and other Internet access services."

Inasmuch as the amendments are clearly limiting in nature as required by Trademark Rule 2.71(a), and because all parties consent thereto, it is approved and entered. See Trademark Rule 2.133(a).

If this resolves the dispute herein, and in opposition No. 91189140, opposers are allowed until **THIRTY DAYS** from the mailing date of this order to file a withdrawal of the oppositions, failing which the oppositions will go forward on the applications as amended. See Trademark Rule 2.106(c).

Opposition No. 91185077

On May 13, 2011, applicant filed an abandonment of its application Serial No. 77159882, with opposer's written consent.

Opposition No. 91161183

In view thereof, application Serial No. 77159882 stands abandoned, and Opposition No. 91185077 is dismissed without prejudice. See Trademark Rule 2.135.

Proceedings Suspended

Proceedings in Opposition Nos. 91161183, 91162981, 91163494, 91164137, 91164807 and 91189140 otherwise are suspended.

*By the Trademark Trial
and Appeal Board*