

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

dmd

Mailed: April 26, 2006

Opposition No. 91162275

Penguin Books Limited

v.

AstraZeneca AB

**Linda Skoro, Interlocutory Attorney**

On January 30, 2006, the parties filed applicant's proposed amendment to its application Serial Nos. 76355606, 76355607, and 76355608, with opposer's written consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.<sup>1</sup>

By the proposed amendment applicant seeks to delete the goods in International Classes 5 and 16, in their entirety, from the identification of goods.<sup>2</sup>

In an opposition to an application having multiple classes, if the applicant files a request to amend the application to delete an opposed class, the request for amendment is, in effect, an abandonment of the application with respect to that class, and is governed by Trademark Rule 2.135; and TBMP §602.01 (2<sup>nd</sup> ed. Rev. 2004).

---

<sup>1</sup>The Board regrets the delay in addressing this motion.

<sup>2</sup> Applicant's proposed amendment leaves unchanged the identification of services in International Classes 35 and 44.

In view thereof, and because opposer's written consent is of record, application Serial Nos. 76355606, 76355607, and 76355608 stand abandoned only with regard to the goods identified in Classes 5 and 16, and the opposition is dismissed without prejudice.

Application Serial Nos. 76355606, 76355607, and 76355608 will proceed to registration with regard to the services identified therein in Classes 35 and 44.

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