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

jh/TWW

Mailed: March 23, 2006

Opposition No. 91164417

Tribal Sportswear, Inc.

v.

Tribal Motor Works, LLC

Thomas W. Wellington,
Interlocutory Attorney:

On February 10, 2006, applicant filed a proposed amendment to its application Serial No. 76541236 and on February 23, 2006, the parties filed a stipulated motion to suspend proceedings.

By the proposed amendment applicant seeks to delete Class 25 in its entirety. The identification of goods in Class 12 remains "aftermarket motorcycle parts and accessories, namely structural parts for motorcycles."

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

Applicant's amendment to delete Class 25 from the application operates as an abandonment of the application as to that class. See Trademark Rule 2.135; and TBMP Section 602.01.

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).

The parties stipulated motion to suspend proceedings is hereby granted to the extent that proceedings are otherwise suspended until August 23, 2006. If the Board does not hear from either party prior to this date, a resumption order will be issued, including the rescheduling of the discovery deadline and trial dates.

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