

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

TWW/kk

Mailed: October 19, 2005

Opposition No. 91165340

Analog Devices, Inc.

v.

WRG SERVICES INC.

**Thomas W. Wellington,
Interlocutory Attorney:**

On October 5, 2005, applicant filed a proposed amendment to its application Serial No. 78/316,739, with opposer's consent.

By the proposed amendment applicant seeks to change the identification of goods **from** "Automatic teller machines, self-service transaction devices, components, computer software and kits therefore, namely, computers, computer network circuits and cards, peripherals, and computers, computer network circuits and cards for remote monitoring of automatic teller machines and self-service transaction devices; operating software for financial service applications and software for automatic teller machines and self-service transaction devices; and security hardware consisting of tamper resistant computer network circuits and cards for automatic teller machines and self-service transaction devices" **to**

"Automatic teller machines; self-service transaction devices; automatic teller machines and self-service transaction device components, computer software and kits, namely, computers, computer network circuits and cards, and peripherals; computers, computer network circuits and cards for remote monitoring of automatic teller machines and self-service transaction devices; operating software for financial service applications and software for automatic teller machines and self-service transaction devices; and security hardware consisting of tamper resistant computer network circuits and cards for automatic teller machines and self-service transaction devices." [underline provided for emphasis].

The proposed amendment of the identification of goods is unacceptable because it exceeds the scope of the previous identification of goods. While an application may be amended to clarify or limit the identification, additions to the identification are not permitted. 37 C.F.R. Section 2.71(a); TMEP sections 804.09 and 804.09(a). Specifically, the proposed identification of goods is unacceptable because the term "self-service transaction devices" is, by itself, indefinite. In the original identification, the term was acceptable because it was followed by language which described the "devices."

Because it is apparent that the parties are seeking a settlement to this case, proceedings herein are suspended for **three** months from the mailing date stamped on this order,

subject to the right of either party to request resumption at any time prior thereto. See Trademark Rule 2.117(c).

In the event that there is no word from either party concerning the progress of their negotiations within the next six months, the Board will issue an order resuming proceedings and resetting appropriate dates, including applicant's time to file an answer.

If, during the suspension period, either of the parties or their attorneys should have a change of address, the Board should be so informed.

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