

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

am

Mailed: December 13, 2006

Opposition No. 91167340

Emulex Design &
Manufacturing Corporation

v.

Nvidia Corporation

Angela Lykos, Interlocutory Attorney

On July 28, 2006, applicant filed a proposed amendment to its application Serial No. 78458545, with opposer's consent. Applicant's motion to suspend proceedings filed August 7, 2006 is also noted.

By the proposed amendment applicant seeks to change the identification of goods **from** "computer hardware, namely, integrated circuits, semiconductors and chipsets, and associated computer software and hardware for operating the same" **to** "computer hardware, namely, integrated circuits, semiconductors and chipsets, and associated computer software and hardware for operating the same all of the foregoing for use in simultaneous operation of multiple processing units in a computer hardware system for the purpose of performing a common computational task, except for uses relating primarily to storage, networking or both storage and networking."

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 (30) 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).