

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

AM

Mailed: June 17, 2008

Opposition No. 91170862

AMERICAN AIRLINES, INC.

V.

DVS SHOE CO., INC.

Ann Linnehan, Interlocutory Attorney

On June 9, 2008, applicant filed a proposed amendment to its application Serial No. 76642345, without opposer's consent.

By the proposed amendment, applicant seeks to change the identification of goods **from** "travel bags, carry-on bags, garment bags for travel, all purpose sports bags, purses, clutch purses and wallets " **to** "all purpose sports bags, purses, clutch purses and wallets."

Where an unconsented motion to amend an application that is involved in an *inter partes* proceeding is filed before trial, the Board generally will defer determination until final decision. See TBMP § 514.03. On the other hand, if a proposed amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and is consented to by opposer, it

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will typically be approved and entered. See Trademark Rule 2.133(a).

Inasmuch as applicant's proposed amendment is otherwise in compliance with Trademark Rule 2.71(b), proceedings herein are suspended to allow applicant until THIRTY DAYS from the date of this order to notify the Board in writing, if accurate, that opposer consents to the proposed amendment.

If applicant does not respond within the time allotted, or if applicant, or opposer, notifies the Board in writing that opposer does not consent to the proposed amendment, proceedings will be resumed, and the opposition will go forward on the application as presently worded.