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

cv/csg

Mailed: July 28, 2009

Opposition No. 91172045

Monster Cable Products, Inc.

v.

Lightspeed Entertainment, LLC

On June 4, 2009, applicant filed a proposed amendment to its application Serial No. 78614307, pursuant to a settlement agreement between the parties. Subsequently, on June 16, 2009, opposer filed a withdrawal of its opposition without prejudice with applicant's written consent.

By the proposed amendment applicant seeks to add/change the following:

Disclaimer

Applicant requests that the following disclaimer be entered as if fully set forth in the application : "Without waiving common law rights thereto, no claim is made to the exclusive right to use the term "MONSTER" apart from the mark as shown."

Description of services

from "audio and video recordings featuring music and animation; audio and video recordings featuring motion picture

film and television programs featuring animation and music; video game cartridges; computer screen saver software; computer programs and computer software featuring music, animation, and interactive games; spectacles and eyewear namely eyeglasses and sunglasses" **to** "motion picture films featuring animated characters in the action adventure genre; pre-recorded video tapes and discs featuring animated characters in the action adventure genre; and computer games, games and software featuring animated characters in the action adventure genre."

Amendment of Mark from standard character to stylized

Applicant requests that the drawing be amended to depict the mark in the stylized format shown in the revised drawing attached hereto.

Inasmuch as the amendments are clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, they are approved and entered. See Trademark Rule 2.133(a).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed without prejudice.

By the Trademark Trial and Appeal Board