

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

Baez/coggins

Mailed: April 4, 2007

Opposition No. 91173684

The Guardian Life Insurance  
Company of America  
v.

Ansell Limited

**Thomas W. Wellington  
Interlocutory Attorney,  
Trademark Trial and Appeal Board:**

On February 15, 2007, applicant filed a proposed amendment to its application Serial No. 78725054, with opposer's consent. By the proposed amendment applicant seeks to change the recitation of services in International Classes 035 and 041 from:

"Business consultancy services relating to manufacturing; business management advice relating to manufacturing businesses; business consultation and advice in the area of stock control services; business consultation and advice in the area of productivity and cost performance analysis; advisory, consulting and information services relating to all of the aforesaid business consulting services; Professional efficiency experts consultancy relating to manufacturing efficiency" in Class 035; and

"Educational services in the nature of one-on-one training and training services in the fields of Injury Prevention, Training of others, SKU Reduction, Controls, Standardization, Productivity and Cost Performance; advisory, consultancy and information services relating to the aforesaid educational and training services" in Class 041;

to:

"Business consultancy services relating to the use of personal protective equipment and clothing in the field of manufacturing; business management advice relating to the use of personal protective equipment and clothing in the field of manufacturing businesses; business consultation and advice in the area of controlling stock of personal protective equipment and clothing; business consultation and advice in the area of productivity and cost performance analysis with respect to personal protective equipment and clothing; advisory, consulting and information services relating to all of the aforesaid business consulting services; professional efficiency experts consultancy relating to manufacturing efficiency in the field of personal protective equipment and clothing" in Class 035; and

"Educational services in the nature of one-on-one training and training services in the fields of injury prevention by manufacturers' selection and use of the appropriate personal protective equipment and clothing, training of others regarding proper selection and use of personal protective equipment and clothing, SKU reduction in the field of personal protective equipment and clothing, controls with respect to access to and usage of personal protective equipment and clothing, standardization of personal protective equipment and clothing, productivity and cost performance improvements achieved by proper selection and use of personal protective equipment and clothing; advisory, consultancy and information services relating to the aforesaid educational and training services" in Class 041.

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.<sup>1</sup> See Trademark Rule 2.133(a).

If this resolves the dispute herein, opposer is allowed until **thirty days** from the mailing date of this order to file

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<sup>1</sup> The recitation of services for International Class 042 remains unchanged.

a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).

It is further noted that applicant's answer is due June 8, 2007, pursuant to an April 4, 2007 Board order. The discovery deadline and trial dates remain as reset by Board in a separate order dated April 4, 2007.<sup>2</sup>

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<sup>2</sup> Applicant's April 4, 2007 motions to extend the time to file its answer and to extend discovery and trial periods are noted and approved by ESTTA on April 4, 2007, respectively.