

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

mc/Winter/BUTLER

Mailed: September 8, 2007

Opposition No. 91175294

SYNTHES (U.S.A.)

v.

COMBI Corporation

On August 28, 2007, the parties filed applicant's proposed amendment to its application Serial No. 76595674, with opposer's consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods in Class 10 **from:**¹

"Teats for babies' pacifiers/soothers, teats, babies' pacifiers/soothers, holders for babies' pacifiers/soothers, feeding bottles for breast pumps, feeding bottles, containers exclusively used for safekeeping of feeding bottles with a function capable of sterilizing by microwave oven, breast pumps, other baby bottles, ice bag pillows for medical purposes, supportive bandages, **surgical catguts**, feeding cups for medical purposes, dropping pipettes for medical purposes, medical ice bags, medical ice bag holders, vacuum bottles for nursing, **finger guards for medical purposes**, contraceptives apparatus, artificial tympanic membranes; **prosthetic or filling materials, namely, artificial materials for use in the replacement of bones; electric**

¹ The items in bold are deleted.

massage apparatus for household use, gloves for medical purposes, urinals for medical purposes, bedpans, ear picks for medical purposes, clinical thermometers for babies and infants, heating or cooling packs filled with chemical substances ready to react when required for medical use,"

to:²

"Teats for babies' pacifiers/soothers, teats, babies' pacifiers/soothers, holders for babies' pacifiers/soothers, feeding bottles for breast pumps, feeding bottles, containers exclusively used for safekeeping of feeding bottles with a function capable of sterilizing by microwave oven, breast pumps, other baby bottles, ice bag pillows for medical purposes **namely to preserve breast milk or baby formula**, supportive bandages **for infants and children**, feeding cups for medical purposes **for infants and children**, medical ice bags **to preserve breast milk or baby formula**, medical ice bag holders **used in the preservation of breast milk or baby formula**, vacuum bottles for nursing, contraceptives apparatus, artificial tympanic membranes; ear picks for medical purposes **namely to clean infants' and children's ears**, clinical thermometers for babies and infants."

The other goods identified in the application remain unchanged.

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).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed with prejudice.

***By the Trademark Trial
and Appeal Board***

²The wording in bold-italics is added.