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

Tdc

Mailed: March 20, 2009

Opposition No. 91176613

Atom Entertainment, Inc.

v.

Dream Stage Entertainment, Inc.

Frances S. Wolfson, Interlocutory Attorney:

On February 18, 2009, applicant filed a proposed amendment to its application Serial No. 78864263, with opposer's consent.

By the proposed amendment applicant seeks to change the identification of goods in **International Class 9 from** "Recorded DVDs, CDs, video discs and video tapes in the field of martial arts; downloadable electronic publications, namely magazines, in the field of martial arts; sunglasses; electronic handheld video games featuring martial arts" **to** "Recorded DVDs, CDs, video discs and video tapes in the field of martial arts; downloadable electronic publications, namely magazines, in the field of martial arts; sunglasses" and the recitation of services in **International Class 41 from "**Martial arts and mixed martial arts performances and exhibitions; organization and arrangement of martial arts competitions; arrangements for the showing of movies, shows, plays and musical performances all in the field of martial and mixed

martial arts; movie showing in the field of martial and mixed martial arts; presentation of live show performances in the field of martial and mixed martial arts; presentation of musical performances; production of radio and television programs in the field of martial and mixed martial arts**" to "**Martial arts and mixed martial arts performances and exhibitions; organization and arrangement of martial arts competitions; presentation of live show performances in the field of martial and mixed martial arts; production of radio and television programs in the field of martial and mixed martial arts**."**

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), 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 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).

NEWS FROM THE TTAB:

The USPTO published a notice of final rulemaking in the Federal Register on August 1, 2007, at 72 F.R. 42242. By this notice, various rules governing Trademark Trial and Appeal Board inter partes proceedings are amended. Certain amendments have an effective date of August 31, 2007, while most have an effective date of November 1, 2007. For further information, the parties are referred to a reprint of the final rule and a chart summarizing the affected rules, their changes, and effective dates, both viewable on

the USPTO website via these web addresses:
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242.pdf
http://www.uspto.gov/web/offices/com/sol/notices/72fr42242_FinalRuleChart.pdf

By one rule change effective August 31, 2007, the Board's standard protective order is made applicable to all TTAB inter partes cases, whether already pending or commenced on or after that date. However, as explained in the final rule and chart, this change will not affect any case in which any protective order has already been approved or imposed by the Board. Further, as explained in the final rule, parties are free to agree to a substitute protective order or to supplement or amend the standard order even after August 31, 2007, subject to Board approval. The standard protective order can be viewed using the following web address:
http://www.uspto.gov/web/offices/dcom/ttab/tbmp/stndagmnt.htm