

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

EJW

Mailed: June 10, 2008

Opposition No. 91177314

Sony BMG Music Entertainment

v.

Jerry Clum

Elizabeth J. Winter, Interlocutory Attorney:

On March 13, 2008, applicant filed a proposed amendment to its application Serial No. 78837641¹ pursuant to a settlement agreement with opposer, with opposer's written consent.

By the proposed amendment, applicant seeks to change the recitation of services **from:**

Production of video cassettes; Production of video discs for others

To:²

Production of video cassettes **consisting of video biographies for others**; production of video discs for others **consisting of video biographies for others**.

Inasmuch as the amendments are clearly limiting in nature as required by Trademark Rule 2.71(a), 37 C.F.R. § 2.71(a), and

¹ Applicant mistakenly referred to his companion application no. 78835584 in the heading of its submitted document.

² The proposed additional wording is underlined and shown in bold font type.

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because opposer consents thereto, it is approved and entered.
See Trademark Rule 2.133(a), 37 C.F.R. § 2.133(a).

If this amendment resolves the dispute herein, opposer is allowed **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, upon the following trial schedule. See Trademark Rule 2.106(c), 37 C.F.R. § 2.106(c).

Proceedings are otherwise **SUSPENDED**.

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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>