

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

nmt/dmd

Mailed: September 25, 2008

Opposition No. 91180970

Faconnable SAS

v.

Abercrombie & Fitch Trading  
Co.

On September 16, 2008, the parties filed applicant's proposed amendment to its application Serial Nos. 78926190 and 78926248, with opposer's consent, and opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment to Serial No. 78926190, applicant seeks to change the identification of goods in International Class 25 as follows.

**from**

"Clothing, namely, bathrobes, beach cover-ups, beachwear, belts, blazers, blouses, body shapers, body suits, boxer shorts, bustiers, bras, camisoles, caps, coats, dresses, footwear, foundation garments, garter belts, girdles, gloves, gowns, halter tops, hats, headbands, hosiery, intimate apparel, namely, robes and shapewear, namely, corsets and corselettes, jackets, jeans, jogging suits, knee highs, knit shirts, knit tops, leotards, lingerie, loungewear, mittens, negligees, nightgowns, nightshirts, pajamas, panties, pants, pantyhose, sarongs, scarves, shirts, shorts, skirts, slacks,

sleepwear, slips, socks, stockings, suits, sweat pants, sweat shirts, sweat shorts, sweat suits, sweaters, swim wear, t-shirts, tank tops, tap pants, teddies, ties, tights, underpants, undershirts, underwear and vests; athletic wear, namely, gym shorts, athletic shorts, jogging pants, pullovers, sports shirts, visors"

**to**

"Clothing, namely, bathrobes, beach cover-ups, beachwear, belts, blazers, blouses, body shapers, body suits, boxer shorts, bustiers, bras, camisoles, caps, coats, dresses, footwear, foundation garments, garter belts, girdles, gloves, gowns, halter tops, hats, headbands, hosiery, intimate apparel, namely, robes and shapewear, namely, corsets and corselettes, jackets, jeans, jogging suits, knee highs, knit shirts, knit tops, leotards, lingerie, loungewear, mittens, negligees, nightgowns, nightshirts, pajamas, panties, pants, pantyhose, sarongs, scarves, shirts, shorts, skirts, slacks, sleepwear, slips, socks, stockings, suits, sweat pants, sweat shirts, sweat shorts, sweat suits, sweaters, swim wear, t-shirts, tank tops, tap pants, teddies, ties, tights, underpants, undershirts, underwear and vests; athletic wear, namely, gym shorts, athletic shorts, jogging pants, pullovers, sports shirts, visors, all sold exclusively through applicant's Hollister stores, Hollister catalogs and Hollister website."

By the proposed amendment to Serial No. 78926248, applicant seeks to change the identification of goods in International Class 25 as follows.

**from**

"Clothing, namely, bathrobes, beach cover-ups, beachwear, belts, blazers, blouses, body shapers, body suits, boxer shorts, bustiers, bras, camisoles, caps, coats, dresses, footwear, foundation garments, garter belts, girdles, gloves, gowns, halter tops, hats, headbands, hosiery, intimate apparel, namely, robes and shapewear, namely, corsets and corselettes, jackets, jeans, jogging suits, knee highs, knit shirts, knit tops, leotards, lingerie, loungewear, mittens, negligees, nightgowns, nightshirts, pajamas, panties, pants, pantyhose,

sarongs, scarves, shirts, shorts, skirts, slacks, sleepwear, slippers, socks, stockings, suits, sweat pants, sweat shirts, sweat shorts, sweat suits, sweaters, swim wear, t-shirts, tank tops, tap pants, teddies, ties, tights, underpants, undershirts, underwear and vests; athletic wear, namely, gym shorts, athletic shorts, jogging pants, pullovers, sports shirts, visors"

to

"Clothing, namely, bathrobes, beach cover-ups, beachwear, belts, blazers, blouses, body shapers, body suits, boxer shorts, bustiers, bras, camisoles, caps, coats, dresses, footwear, foundation garments, garter belts, girdles, gloves, gowns, halter tops, hats, headbands, hosiery, intimate apparel, namely, robes and shapewear, namely, corsets and corselettes, jackets, jeans, jogging suits, knee highs, knit shirts, knit tops, leotards, lingerie, loungewear, mittens, negligees, nightgowns, nightshirts, pajamas, panties, pants, pantyhose, sarongs, scarves, shirts, shorts, skirts, slacks, sleepwear, slippers, socks, stockings, suits, sweat pants, sweat shirts, sweat shorts, sweat suits, sweaters, swim wear, t-shirts, tank tops, tap pants, teddies, ties, tights, underpants, undershirts, underwear and vests; athletic wear, namely, gym shorts, athletic shorts, jogging pants, pullovers, sports shirts, visors, all sold exclusively through applicant's Hollister stores, Hollister catalogs and Hollister website."

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, in accordance with the agreement between the parties.

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