

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

FAINT

Mailed: May 18, 2008

Opposition No. 91183240

Aritzia LP

v.

Jim Sodini

On May 15, 2008 the Board held a telephone conference between, Nancy V. Stephens, counsel for opposer, Peter H. Smith, counsel for applicant, and Interlocutory attorney Catherine Faint, Board attorney responsible for resolving interlocutory matters in this case.

On April 18, 2008, applicant filed its proposed amendment to its application Serial No. 77150198.<sup>1</sup> During the teleconference the parties confirmed that the amendment is made with opposer's consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment. As discussed further with the parties, the amended identification of goods is shown below.

---

<sup>1</sup> The filing did not include a certificate of service upon opposer. Opposer may view the filing at:  
<http://ttabvue.uspto.gov/ttabvue/v?pno=91183240&pty=OPP&eno=4>

By the proposed amendment applicant seeks to change the identification of goods in International Class 25 **from** "Clothing, namely t-shirts, sweatshirts, and caps" **to** "Clothing, namely t-shirts, sweatshirts, and caps as novelty apparel and not primarily fashion apparel."

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).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed in accordance with the agreement between the parties.

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