

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

nmt/ah/dmd

Mailed: August 12, 2009

Opposition No. 91188572

Fitz-Wright Company Ltd.

v.

Downwind, Inc.

Cindy B. Greenbaum, Managing Attorney:

On August 6, 2009, applicant filed a proposed amendment to its application Serial No. 77420450, with opposer's consent.

By the proposed amendment applicant seeks to amend the identification of goods in International Class 25¹

from:

"Wetsuits, rashguard shirts, rashguard shorts, beanies, visors, hats, head bands, shirts, shorts and tee shirts"

to:

"Beanies, visors, hats, head bands, shirts, shorts and tee shirts."

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

¹The identification of goods in International Class 28 remains unchanged.

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).