

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

nmt

Mailed: August 9, 2012

Opposition No. 91190681
Opposition No. 91190739
Opposition No. 91191087

Arcadia Group Brands Limited

v.

Studio Moderna SA

By the Trademark Trial and Appeal Board:

On July 31, 2012, applicant filed: (1) the parties' stipulations to the abandonment with prejudice of applicant's application Serial Nos. 77975981, the involved application in Opposition No. 91190681, and 79054176, the involved application in Opposition No. 91191087; and (2) a consented amendment to application Serial No. 77975980, the involved application in Opposition No. 91190739.

In view of the abandonment of application Serial Nos. 77975981 and 79054176, those applications stand abandoned with prejudice, and Opposition Nos. 91190681 and 91191087 are dismissed without prejudice. See Trademark Rule 2.135.

By the proposed amendment to application Serial No. 77975980, applicant seeks to change the recitation of services

Opposition Nos. 91190681, 91190739, and 91191087

in International Classes 38 and 41 by adding the following statement to the end of each description of services:

None of the aforesaid services being offered in relation to, or being used in connection with, retail store services, fashion, clothing, hosiery, footwear, headgear, hair accessories, bags, millinery, jewelry, imitation jewelry, watches, eyewear, cosmetics and fashion accessories.

The amendment is clearly limiting in nature as required by Trademark Rule 2.71(a). 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 September 6, 2012 to file a withdrawal of Opposition No. 91190739, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c). Applicant is also allowed until September 6, 2012 to inform the Board how it wishes to proceed with respect to the counterclaim for cancellation of opposer's Registration No. 3237860, failing which the counterclaim will go forward.