

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

nmt

Mailed: March 4, 2011

Opposition No. 91193319

Palm, Inc.

v.

Stephen R. Hill

**Robert H. Coggins,
Interlocutory Attorney:**

On January 26, 2011, applicant/counterclaimant filed a proposed amendment to its application Serial No. 77691186, with opposer's consent. By the proposed amendment applicant/counterclaimant seeks to change the identification of goods and services in International Classes 9 and 42 as follows:

International Class 9

from

Telecommunications equipment, namely, telephones in the nature of business sets used with Voice over Internet Protocol (VoIP) services and other wire line services, switches, attendant consoles, NT1 ISDN network termination devices, telecom power supplies, battery backup devices, E9-1-1 systems in the nature of electronic devices and software used for the transmission, identification, and alerting of 9-1-1 calls, and applications software for all of the aforesaid goods;

to

Telecommunications equipment, namely, switches in the nature of network components and systems that

facilitate data and voice communications, attendant consoles, NT1 ISDN network termination devices, telecom power supplies, battery backup devices, E9-1-1 systems in the nature of electronic devices and software used for the transmission, identification, and alerting of 9-1-1 calls, telephones in the nature of business sets used with Voice over Internet Protocol (VoIP) services and other wire line services, not including mobile telephones, namely cellular telephones and smartphones, and applications software for all of the aforesaid goods;

International Class 42

from

Technical support services, namely, systems design consulting and services in the field of telecommunications, installation services and system maintenance of software, and troubleshooting of telecommunications software problems and diagnosing hardware problems;

to

Technical support services, namely, systems design consulting and services in the field of telecommunications, installation services and system maintenance of software, and troubleshooting of telecommunications software problems and diagnosing hardware problems, not including services related to mobile telephones, namely cellular telephones and smartphones.

Inasmuch as the amendment is 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).

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, and applicant/counterclaimant is allowed the **same thirty days** in which to withdraw the counterclaim, failing which the opposition and counterclaim

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will go forward on the application as amended. See Trademark Rule 2.106(c). Dates remain as previously reset.