

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

vw/DUNN

Mailed: August 30, 2012

Opposition No. 91193491

ATI Technologies ULC

v.

Telefonica, S.A.

On July 23, 2012, the parties filed a stipulation to amend application Serial No. 78812301 and to withdraw the opposition and the counterclaim, without prejudice, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to amend the identification of goods in International Class 9 by deleting the underlined goods **from:**¹

"Apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers, blank recording and optical discs; automatic vending machines and parts thereof; cash registers, calculators, data processors and computers, computer programs for editing images, sound and video; computer and television screens, computer keyboards, computer mouse, blank CD-ROMs for sound or video recording, telephonic apparatus in the nature of telephones, mobile telephones; transmitters and receivers of sound and images, automatic telephone exchanges, telephones, automatic answering machines"

So the amended goods read:

¹ The services in International Classes 38 and 41 remain unchanged.

Opposition No. 91193491

"Automatic vending machines and parts thereof; cash registers, calculators, television screens, telephonic apparatus in the nature of telephones, mobile telephones; transmitters and receivers of sound and images, automatic telephone exchanges, telephones, automatic answering machines."

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 without prejudice, and the counterclaim is dismissed without prejudice.

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