

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

jh

Mailed: November 14, 2011

Opposition No. 91198253

Megatrax Production Music,
Inc.

v.

EZ Distribution Inc.

Cheryl S. Goodman, Interlocutory Attorney:

On October 27, 2011, applicant filed a proposed amendment to its application Serial No. 85004228, with opposer's consent.

By the proposed amendment applicant seeks to change the identification of goods in International Class 9

from

CD CASES; CD SLEEVES; DVD CASES; DVD SLEEVES, BLANK OPTICAL DISCS, NAMELY, ALL BLANK, COMPACT DISCS, CD-ROMS, RECORDABLE COMPACT DISCS, RECORDABLE AND REWRITEABLE DVD DISCS, HIGH DENSITY OPTICAL DISCS READ AND WRITTEN BY SHORT WAVE LENGTH BLUE LASERS, NAMELY, BLANK, BD-R AND BD-RE DISCS

to

CD cases; CD sleeves; DVD cases; DVD sleeves, blank optical discs, namely, all blank, compact discs, CD-ROMs, recordable compact discs, recordable and rewriteable DVD discs, high density optical discs read and written by short wave length blue lasers, namely, blank, BD-R and BD-RE discs, **and all of**

the above being blank and not including pre-recorded music or sound effects or catalogs of music.¹

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).

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).²

¹ The wording in bold text has been added to the existing goods.

² Opposer's change of address filed October 6, 2011 and applicant's appearance of counsel as indicated by the filing of the consented motions to extend time and the October 27, 2011 motion to amend applicant's application are noted and the Office records updated accordingly.