

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Alexandria, VA 22313-1451  
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csg/kk

Mailed: May 22, 2014

Opposition No. 91202421

Valent U.S.A. Corporation

v.

Florida Garden Supplies, Inc.

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

On May 6, 2014, applicant filed a proposed amendment to application Serial No. 85236790, with opposer's consent, and opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to amend the identification of goods from "~~Non-chemical bio-fertilizers containing beneficial bacteria and fungi for domestic and agricultural use for use with plants, crops and fruit~~ " to "Non-chemical bio-fertilizers containing beneficial bacteria and fungi for hydroponic gardening use on plants."<sup>1</sup>

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

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<sup>1</sup> The stricken-through wording has been deleted from the identification and the underlined wording has been added to the identification.

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The contingency in opposer's withdrawal having now been met, the opposition is dismissed without prejudice.