

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

nmt

Mailed: September 18, 2012

Opposition No. 91203984

Carefusion 2200, Inc.

v.

Fitz Scientific, LLC

Cheryl S. Goodman, Interlocutory Attorney:

On September 11, 2012, applicant filed a proposed amendment to its application Serial No. 85331951, with opposer's consent (filed separately on September 11, 2012).

By the proposed amendment applicant seeks to change the identification of goods in International Class 10 as follows:

from

"Medical apparatus, namely, handheld devices containing a foam swab for obtaining buccal cells"

to

"Medical apparatus, namely, non-invasive handheld devices containing a foam swab for obtaining buccal cells."

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 October 13, 2012 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).