

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

RK/ra

Mailed: April 17, 2013

Opposition No. **91204543**

Bodega Ruca Malen S.A.

v.

Monty R. Partridge

On February 21, 2013, opposer filed applicant's proposed amendment to its application **Serial No. 85373118**, with opposer's written consent, and opposer's withdrawal of the opposition with applicant's consent, contingent upon entry of the amendment.¹

By the proposed amendment, applicant seeks to change the identification of goods in International Class 33 as follows:

From: Distilled spirits; in International Class 33.

To: Tequila, not sold through the Internet or other global computer network; in International Class 33.

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer

¹ Opposer's filing fails to indicate proof of service on applicant as required by Trademark Rule 2.119. In order to expedite this matter, applicant is referred to <http://ttabvue.uspto.gov/ttabvue/v?pno=91204543&pty=OPP&eno=9> to view a copy of the filing.

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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** in accordance with the agreement between the parties.

*By the Trademark Trial
and Appeal Board*