

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

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Mailed: April 24, 2013

Opposition No. 91207021

Johnson & Johnson, and RoC
International s.a.r.l.

v.

Rock Cosmetics Limited

Lalita Greer, Paralegal Specialist:

On December 19, 2012, applicant filed a second proposed amendment to its application Serial No. 85426233, with opposer's consent. It has come to the Board's attention that ESTTA, the Board's electronic system, granted applicant's December 21, 2012, January 24, 2013, February 15, 2013 and March 25, 2013 motions to extend dates, before an opportunity arose for consideration of the amendment filed by applicant on December 19, 2012.

By the proposed amendment applicant seeks to change the identification of goods and services from:

"Adhesives for artificial nails; Adhesives for false eyelashes, hair and nails; Aromatic body care products, namely, body lotion, shower gel, cuticle cream, shampoo, conditioner, non-medicated lip balm, soap, body polish,

body and foot scrub and non-medicated foot cream; Beauty creams for body care; Body and beauty care cosmetics; Body art pens; Body butter; Body crayons; Body cream; Body creams; Body glitter; Body mask cream; Body mask lotion; Body mask powder; Body masks; Body milk; Body milks; Body oil; Body oils; Body powder; Body scrub; Body splash; Body spray used as a personal deodorant and as fragrance; Body sprays; Cosmetic preparations for body care; Cosmetic preparations for eye lashes; Cosmetic preparations for nail drying; Cosmetics, namely, lip primer; Cosmetics, namely, lip repairers; Eye compresses for cosmetic purposes; Eye cream; Eye gels; Eye liner; Eye lotions; Eye make-up; Eye make-up remover; Eye pencils; Eye shadow; Eye shadows; Eye-shadow; Eyes make-up; Eyes pencils; False nails; Gel eye masks; Lip balm; Lip balm; Lip cream; Lip gloss; Lip gloss palatte; Lip liner; Lip polisher; Lotions for strengthening the nails; Make-up for the face and body; Make-up kits comprised of lip gloss and eye shadow; Make-up preparations for the face and body; Mineral powder for use in cosmetic body wrap applications; Nail art stickers; Nail buffing preparations; Nail care kits comprising nail polish; Nail care preparations; Nail care preparations, namely, nail softeners; Nail cream; Nail enamel; Nail enamel removers; Nail enamels; Nail gel; Nail glitter; Nail grooming products, namely, tips, glue, lacquer and glitter; Nail hardeners; Nail polish; Nail polish base coat; Nail polish protector in the nature of a thin plastic covering applied to nails; Nail polish remover; Nail polish removers; Nail polish top coat; Nail repair products, namely, linen nail wraps; Nail repair products, namely, nail wraps; Nail repair products, namely, silk nail wraps; Nail stencils; Nail strengtheners; Nail tips; Nail varnish; Nail varnish for cosmetic purposes; Nail varnishes; Nail-polish removers; Non-medicated facial and eye serum containing antioxidants; Non-medicated lip balm that does not contain beeswax; Non-medicated lip care preparations; Non-medicated lip protectors; Sachet-like eye pillows containing fragrances; Tattoo removal preparations; Temporary tattoo sprays and stencils therefor sold as a unit; Toning lotion, for the face, body and hands; Under-eye enhancers; Wax for removing body hair; Wax strips for removing body hair"

to:

"Adhesive foils for eyes, lips and nails; glitter for eyes, lips and nails; face and body glitter, stencils for

nails, false nails, nail enamels; nail gel, nail grooming products, namely, tips, glue, lacquer and glitter, adhesives for attaching artificial fingernails and/or eyelashes, body art pens and crayons, temporary tattoo sprays and stencils therefor sold as a unit; colour for eyes, lips, and nails"

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).

In view thereof, the Board's December 21, 2012, January 24, 2013, February 15, 2013 and March 25, 2013 orders granting the motions to extend are hereby vacated and if this amendment to the application 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).