

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

Mailed: December 12, 2015

Opposition No. 91207022

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

v.

*Calvert Enterprises, Inc.*

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

On November 14, 2014, Applicant filed a revised proposed amendment to its involved application Serial Nos. 85441320 and 85441324, with Opposers' consent, and Opposers' withdrawal without prejudice of the opposition, contingent upon entry of the amendment.<sup>1</sup>

By the proposed amendment Applicant seeks to amend the drawing of the mark in each subject application from:



to:

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<sup>1</sup> The Board notes that Applicant's November 14, 2014 includes a stipulated request to withdraw the motion to amend the application filed on August 20, 2014. The request is **GRANTED** and the Board will give no further consideration to the motion to amend filed on August 20, 2014.

roxspa

Additionally, Applicant seeks to amend the description of each of the involved marks so that the description reads as follows:

The mark consists of two words “rox” and “spa” appearing in stylized lowercase letters with the term “rox” appearing in lighter shading than the term “spa.”

Inasmuch as the amendment does not constitute an impermissible material alteration of the involved marks as required by Trademark Rule 2.72, and because Opposers consent thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Opposers' withdrawal having now been met, the opposition is dismissed **without prejudice**.<sup>2</sup>

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<sup>2</sup> In light of this order, the parties' stipulated motion to suspend filed on November 10, 2014 is deemed moot and will be given no further consideration.