

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

Am/DUNN

Mailed: July 30, 2013

Opposition No. 91209354

Eli Lilly and Company

v.

HFV

On July 11, 2013, applicant filed a proposed amendment to its application Serial No. 79105073, with opposer's consent, and on June 28, 2013 opposer filed a withdrawal of the opposition.

By the proposed amendment applicant seeks to change the identification of good in Class 5 as follows (deletions in bold type):

from

"Veterinary preparations, except veterinary toxoids, namely, preventive treatments; nutritional additives for animal foodstuffs for medical use; food-supplements for veterinary use; bacterial preparations for veterinary use; bacteriological preparations for veterinary use; enzyme preparations for veterinary use; preparations of trace elements for animal use as food additives, food supplements; **parasiticides for veterinary use; pesticides; fungicides**"

to

"Veterinary preparations, except veterinary toxoids, namely, preventive treatments; nutritional additives for animal foodstuffs for medical use; food-supplements for veterinary use; bacterial preparations for veterinary use; bacteriological preparations for veterinary use; enzyme preparations for veterinary use; preparations of

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trace elements for animal use as food additives, food supplements."

The identification of goods in Class 31 remains unchanged.

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).

The opposition is dismissed without prejudice.

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