

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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vw/DUNN

Mailed: August 26, 2015

Opposition No. 91211283

*Miss Porter's School, Incorporated*

*v.*

*The Net-A-Porter Group Limited*

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

On July 9, 2015, the parties' filed a stipulated motion to amend Applicant's involved application Serial No. 85510740, with Opposer's written consent, and to withdraw the opposition with prejudice with Applicant's written consent, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to change the recitation of services in International Class 35 by adding the following limiting wording to the end of the current identification: "none of the foregoing provided by a school, provided in affiliation with a school or bearing indicia of a school." As amended, the identification of services would read:<sup>1</sup>

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<sup>1</sup> The services in International Class 45, which is not subject to this opposition proceeding, would remain unchanged.

Retail and on-line retail store services featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eyewear; Retail store services, available through interactive television, featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eyewear; Retail store featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eyewear, accessible by telephone, mobile phone or telecommunications device; Retail store services through direct solicitation by salespersons directed to end-users featuring clothing, headgear and footwear, jewelry, watches, fashion accessories, textiles, cosmetics, non-medicated toilet preparations, eyewear; Providing information and advice in the field of retail store services; business management consultancy; advertising services for others; none of the foregoing provided by a school, provided in affiliation with a school or bearing indicia of a school.

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because Opposer consents thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Opposer's withdrawal having now been met, the opposition is dismissed with prejudice.