

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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kk/coggins

Mailed: April 17, 2014

Opposition No. 91211430

Simon Golub & Sons, Inc.

v.

Satisfaction Guaranteed Pte Ltd

By the Trademark Trial and Appeal Board:

On March 26, 2014, applicant filed a stipulated amendment to subject application Serial No. 79122882 and contingent withdrawal without prejudice of the opposition.

Class 14

By the proposed amendment applicant seeks to delete Class 14 in its entirety. In an opposition to an application having multiple classes, if the applicant files a request to amend the application to delete an opposed class, the request for amendment is, in effect, an abandonment of the application with respect to that class, and is governed by Trademark Rule 2.135. *See* TBMP §§ 602.01 and 605.03(b) (3d ed. rev. 2013). In view thereof, and because opposer's written consent is of record, application Serial No. 79122882 stands abandoned as to Class 14, and the opposition is dismissed without prejudice with respect to Class 14.

Class 25

By the proposed amendment applicant also seeks to delete the wording “fur stoles” from Class 25, so the resulting Class 25 identification would read as:

Jackets; suits; skirts; trousers; pants; dresses; wedding dresses; coats; sweaters; shirts; nightwear; underwear; swimwear; swimming caps; Japanese traditional clothing, namely, kimonos; sleep masks; aprons for wear; collar protectors for wear; socks and stockings; puttees and gaiters; shawls; scarves; Japanese style socks (tabi); Japanese style socks covers (tabi covers); gloves and mittens for wear; neckties; neckerchieves; bandanas; mufflers for wear; ear muffs as clothing; nightcaps; headgear, namely, hats and caps; garters; sock suspenders; suspenders; waistbands; belts for clothing; leather shoes; sandals; beach shoes; sneakers; slippers; boots; masquerade costumes.

Inasmuch as the amendment to Class 25 is limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, the amendment to Class 25 is approved and entered. *See* Trademark Rule 2.133(a).

Withdrawal

The contingency in opposer’s withdrawal having now been met, the opposition is dismissed without prejudice.