**UNITED STATES PATENT AND TRADEMARK OFFICE**
**Trademark Trial and Appeal Board**
**P.O. Box 1451**
**Alexandria, VA 22313-1451**
General Contact Number: 571-272-8500

Mailed: May 7, 2014

Opposition No. 91212688

Dow AgroSciences LLC

v.

Growth Products Ltd.

**Robert Coggins,**
**Board Attorney:**

On April 11 and May 2, 2014, applicant filed proposed amendments to subject application Serial No. 85764632. The two amendments appear identical. Applicant did not allege that opposer consented to the amendments, and the motions do not indicate proof of service upon opposer.[1]

By the proposed amendment applicant seeks to delete "agriculture" from the identification of goods in International Classes 001 and 005. While the amendment is limiting in nature as required by Trademark Rule 2.71(a), the

[1] Trademark Rule 2.119 requires that every filing indicate proof of service of a copy of same upon the other party. In order to expedite this matter, opposer is directed to the following URLs where it may view a copy of the filings:

http://ttabvueint.uspto.gov/ttabvue/v?pno=91212688&pty=OPP&eno=5
http://ttabvueint.uspto.gov/ttabvue/v?pno=91212688&pty=OPP&eno=6

Strict compliance with Trademark Rule 2.119 is required in all future papers filed with the Board.

Board generally defers determination of timely filed unconsented motions to amend until final decision or until the case is decided upon summary judgment. *See Enbridge Inc. v. Excelerate Energy Ltd. P'ship*, 92 USPQ2d 1537, 1539 n.3 (TTAB 2009); TBMP § 514.03 (3d ed. rev.2 2013).

In view thereof, applicant is allowed until fifteen days from the mailing date of this order to submit opposer's consent to the proposed amendment, failing which the amendment will be deferred until final decision or until the case is decided upon summary judgment.

Dates otherwise remain as set.