

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

GMM

Mailed: April 27, 2015

Opposition No. 91212717

Bear Republic Brewing Co., Inc.

v.

D&E Solutions LLC

Andrew P. Baxley, Interlocutory Attorney:

On March 9, 2015, Applicant filed a stipulation to amend Applicant's involved application Serial No. 85578685. By the proposed amendment, Applicant seeks to amend the identification of goods by adding the wording “, expressly excluding energy drinks containing beer or alcohol” at the conclusion thereof. With such amendment, the identification of goods would read in its entirety as follows: “energy drinks, expressly excluding energy drinks containing beer or alcohol.”

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

If the amendment resolves this proceeding, Opposer should withdraw the notice of opposition within thirty days of the mailing date set forth in this order, failing which the opposition will go forward on the application as amended. *See* Trademark Rule 2.106(c). Proceedings are otherwise suspended.