

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

MCF

Mailed: February 15, 2014

Opposition No. 91212719

Sac Acquisition LLC

v.

DE FURSAC

On January 6, 2014, the parties filed applicant's proposed amendment to its application Serial No. 79107765, with opposer's consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the identification of goods as follows:¹

from "Goods of leather or imitations of leather, namely, bands of leather, imitation leather key chains, leather suitcases, leather boxes for storing greeting cards, leather credit card cases, leather credit card wallets, leather credit card holder, leather purses, leather shopping bags, leather shoulder belts; trunks and traveling bags; cases of leather or leatherboard; travel cases; attaché cases; briefcases; handbags; school satchels and school bags; game bags, namely, animal game bags, hunter's game bags; sling bags for carrying

¹ The identifications of goods in Classes 3 and 25 remain unchanged.

infants; rucksacks, backpacks; wheeled shopping bags; beach bags; traveling bags; garment bags for travel; bags for climbers; bags for campers; haversacks; tool bags sold empty; wallets; card holders, namely, credit card holders, business card holders in the nature of card cases, for wallets; change purses; pouches, namely, leather pouches, felt pouches, jewelry pouches, silk pouches, pouches for holding keys, ticket pouches; leather key cases; hat boxes of leather; boxes of leather or leatherboard; unfitted vanity cases; Leather traveling sets consisting of cosmetic bags sold empty, make-up bags sold empty, overnight bags sold empty, shaving bags sold empty, toiletry bags sold empty; covers for animals; animal skins, animal hides; trimmings of leather for furniture; leather for furniture; umbrellas, parasols and walking sticks; umbrella covers; umbrella rings; whips, harness and saddlery;"

to: "Goods of leather or imitations of leather, namely, bands of leather, imitation leather key chains, leather suitcases, leather boxes for storing greeting cards, leather credit card cases, leather credit card wallets, leather credit card holder, leather purses, leather shoulder belts; trunks and traveling bags; cases of leather or leatherboard; travel cases; attaché cases; briefcases; handbags; school satchels and school bags; game bags, namely, animal game bags, hunter's game bags; sling bags for carrying infants; rucksacks; beach bags; traveling bags; garment bags for travel; bags for climbers; bags for campers; haversacks; tool bags sold empty;

wallets; card holders, namely, credit card holders, business card holders in the nature of card cases, for wallets; change purses; pouches, namely, leather pouches, felt pouches, jewelry pouches, silk pouches, pouches for holding keys, ticket pouches; leather key cases; hat boxes of leather; boxes of leather or leatherboard; unfitted vanity cases; Leather traveling sets consisting of cosmetic bags sold empty, make-up bags sold empty, overnight bags sold empty, shaving bags sold empty, toiletry bags sold empty; covers for animals; animal skins, animal hides; umbrellas, parasols and walking sticks; umbrella covers; umbrella rings; whips, harness and saddlery" in Class 18; and

from: "Advertising, including on-line advertising on a computer network; direct mail advertising including by electronic means; radio advertising; television advertising; organization of exhibitions and trade fairs for commercial or advertising purposes; sales promotion for others; window dressing and display arrangement services; demonstration of goods; distribution of samples; goods import-export agencies; modelling agencies, namely selection, recruitment and placement of models; organization of promotional and advertising operations to obtain customer and personnel loyalty; presentation of goods on all means of communication for retail sale; bringing together for the benefit of others and enabling customers to conveniently view and purchase goods, excluding the transport thereof, all in the field of soaps, perfumery, cosmetic preparations for skin care,

cosmetic sun-tanning preparations, hair lotions, mousses and balms for hair care, gels and waxes for the hair, shaving preparations, after-shave lotions, deodorants for personal use, cosmetic sets, of clothing, footwear and headgear, fabrics for textile use, tablecloths, bed covers, soft furnishings, upholstery fabrics, furniture coverings of textile or of plastic, labels of cloth, hat linings, of textile, canvas for tapestry or embroidery, traced cloths for embroidery, non-woven textile fabrics, knitted fabric, woollen cloth, linen cloth and jute fabric, cotton fabrics, silk cloth, crepe fabric, crepon, woollen fabric, textile linings, moleskin fabric, flannel fabric, jersey fabric, taffeta cloth, tulle, velvet, damask, frieze cloth, plastic materials for use as substitutes for fabrics, elastic woven material, fiberglass fabrics for textile use, fabric of imitation animal skins, buttons, hooks and eyes, pins and needles, embroidered festoons, decorations for textile articles for haberdashery, badges for wear, not of precious metal, hat ornaments, not of precious metal, cords for clothing, fastenings for clothing, shoe buckles, buckles, belt clasps, clasps for bags, trunks, suitcases, attaché cases, traveling bags, pocket wallets, purses, necklaces, rings, bracelets, cufflinks, earrings, watches, spectacles, sunglasses, furniture, armchairs, sofas, mirrors, picture frames, figurines, statuettes, statues, works of art, non-electric household or kitchen utensils and containers, tableware of glass, porcelain and earthenware, tableware, not of precious metal, vases, candelabra,

chandeliers and candlesticks not of precious metal, toilet cases and utensils, toilet brushes, comb cases, shaving brushes, shaving brush stands, soap boxes, flasks, bottles, demijohns, crocks, jugs not of precious metal, decanters, perfume burners, perfume sprayers and vaporizers, table linen, bath linen, bed linen, appliances for gymnastics, sports clothing, bags for sports, books, paper sheets, writing or drawing books, note books, pens; retail store services and wholesale store services featuring soaps, perfumery, cosmetic preparations for skin care, cosmetic sun-tanning preparations, hair lotions, mousses and balms for hair care, gels and waxes for the hair, shaving preparations, after-shave lotions, deodorants for personal use, cosmetic sets, of clothing, footwear and headgear, fabrics for textile use, tablecloths, bed covers, soft furnishings, upholstery fabrics, furniture coverings of textile or plastics, labels of cloth, hat linings of textile, canvas for tapestry or embroidery, traced cloths for embroidery, non-woven textile fabrics, knitted fabric, woollen cloth, linen cloth and jute fabric, cotton fabrics, silk cloth, crepe fabric, crepon, woollen fabric, textile linings, moleskin fabric, flannel fabric, jersey fabric, taffeta cloth, tulle, velvet, damask, frieze cloth, plastic materials for use as substitutes for fabrics, elastic woven material, fiberglass fabrics for textile use, fabric of imitation animal skins, buttons, hooks and eyes, pins and needles, embroidered festoons, decorations for textile articles for use in haberdashery, badges for wear, not of

precious metal, hat ornaments, not of precious metal, cords for clothing, fastenings for clothing, shoe buckles, clothing accessories in the nature of buckles, belt clasps, clasps for bags, trunks, suitcases, attaché cases, traveling bags, pocket wallets, purses, necklaces, rings, bracelets, cufflinks, earrings, watches, spectacles, sunglasses, furniture, armchairs, sofas, mirrors, picture frames, figurines, statuettes, statues, works of art, non-electric household or kitchen utensils and containers, tableware of glass, porcelain and earthenware, tableware, not of precious metal, vases, candelabra, chandeliers and candlesticks not of precious metal, toilet cases and utensils, toilet brushes, comb cases, shaving brushes, shaving brush stands, soap boxes, flasks, bottles, demijohns, crocks. jugs not of precious metal, decanters, perfume burners, perfume sprayers and vaporizers, table linen, bath linen, bed linen, appliances for gymnastics, sports clothing, bags for sports, books, paper sheets, writing or drawing books, note books, pens;"

to: "Advertising, including on-line advertising on a computer network; direct mail advertising including by electronic means; radio advertising; television advertising; organization of exhibitions and trade fairs for commercial or advertising purposes; sales promotion for others; window dressing and display arrangement services; demonstration of goods; distribution of samples; goods import-export agencies; modelling agencies, namely selection, recruitment and placement of models; organization of promotional and

advertising operations to obtain customer and personnel loyalty; presentation of goods on all means of communication for retail sale, not including furniture coverings of textile or plastic, furniture, armchairs, sofas and bags for sports; bringing together for the benefit of others and enabling customers to conveniently view and purchase goods, excluding the transport thereof, all in the field of soaps, perfumery, cosmetic preparations for skin care, cosmetic sun-tanning preparations, hair lotions, mousses and balms for hair care, gels and waxes for the hair, shaving preparations, after-shave lotions, deodorants for personal use, cosmetic sets, of clothing, footwear and headgear, fabrics for textile use, tablecloths, bed covers, soft furnishings, upholstery fabrics, labels of cloth, hat linings, of textile, canvas for tapestry or embroidery, traced cloths for embroidery, non-woven textile fabrics, knitted fabric, woollen cloth, linen cloth and jute fabric, cotton fabrics, silk cloth, crepe fabric, crepon, woollen fabric, textile linings, moleskin fabric, flannel fabric, jersey fabric, taffeta cloth, tulle, velvet, damask, frieze cloth, plastic materials for use as substitutes for fabrics, elastic woven material, fiberglass fabrics for textile use, fabric of imitation animal skins, buttons, hooks and eyes, pins and needles, embroidered festoons, decorations for textile articles for haberdashery, badges for wear, not of precious metal, hat ornaments, not of precious metal, cords for clothing, fastenings for clothing, shoe buckles, buckles, belt clasps, clasps for bags, trunks,

suitcases, attaché cases, traveling bags, pocket wallets, purses, necklaces, rings, bracelets, cufflinks, earrings, watches, spectacles, sunglasses, mirrors, picture frames, figurines, statuettes, statues, works of art, non-electric household or kitchen utensils and containers, tableware of glass, porcelain and earthenware, tableware, not of precious metal, vases, candelabra, chandeliers and candlesticks not of precious metal, toilet cases and utensils, toilet brushes, comb cases, shaving brushes, shaving brush stands, soap boxes, flasks, bottles, demijohns, crocks, jugs not of precious metal, decanters, perfume burners, perfume sprayers and vaporizers, table linen, bath linen, bed linen, appliances for gymnastics, sports clothing, books, paper sheets, writing or drawing books, note books, pens; retail store services and wholesale store services featuring soaps, perfumery, cosmetic preparations for skin care, cosmetic sun-tanning preparations, hair lotions, mousses and balms for hair care, gels and waxes for the hair, shaving preparations, after-shave lotions, deodorants for personal use, cosmetic sets, of clothing, footwear and headgear, fabrics for textile use, tablecloths, bed covers, soft furnishings, upholstery fabrics, labels of cloth, hat linings of textile, canvas for tapestry or embroidery, traced cloths for embroidery, non-woven textile fabrics, knitted fabric, woollen cloth, linen cloth and jute fabric, cotton fabrics, silk cloth, crepe fabric, crepon, woollen fabric, textile linings, moleskin fabric, flannel fabric, jersey fabric, taffeta cloth, tulle, velvet, damask,

frieze cloth, plastic materials for use as substitutes for fabrics, elastic woven material, fiberglass fabrics for textile use, fabric of imitation animal skins, buttons, hooks and eyes, pins and needles, embroidered festoons, decorations for textile articles for use in haberdashery, badges for wear, not of precious metal, hat ornaments, not of precious metal, cords for clothing, fastenings for clothing, shoe buckles, clothing accessories in the nature of buckles, belt clasps, clasps for bags, trunks, suitcases, attaché cases, traveling bags, pocket wallets, purses, necklaces, rings, bracelets, cufflinks, earrings, watches, spectacles, sunglasses, mirrors, picture frames, figurines, statuettes, statues, works of art, non-electric household or kitchen utensils and containers, tableware of glass, porcelain and earthenware, tableware, not of precious metal, vases, candelabra, chandeliers and candlesticks not of precious metal, toilet cases and utensils, toilet brushes, comb cases, shaving brushes, shaving brush stands, soap boxes, flasks, bottles, demijohns, crocks. jugs not of precious metal, decanters, perfume burners, perfume sprayers and vaporizers, table linen, bath linen, bed linen, appliances for gymnastics, sports clothing, books, paper sheets, writing or drawing books, note books, pens" in Class 35.

Inasmuch as the amendments are clearly limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, they are 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, in accordance with the agreement between the parties.

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