

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

am/coggins

Mailed: January 9, 2014

Opposition No. 91213050

Forest Laboratories, Inc.

v.

Century Sciences, LLC

On December 23, 2013, applicant filed a stipulated amendment to subject application Serial No. 85878254 and contingent withdrawal with prejudice of the opposition.¹

By the proposed amendment applicant seeks to change the identification of goods

from:

Nutritional and dietary supplements; Dietary and nutritional supplements used for weight loss; Meal replacement powders for weight loss

to:

Nutritional and dietary supplements; Dietary and nutritional supplements used for weight loss; Meal replacement powders for weight loss; all the foregoing excluding cardiovascular applications.

¹ Applicant's filing does not indicate proof of service of a copy of same on counsel for opposer as required by Trademark Rule 2.119. In order to expedite this matter, the opposer is directed to the following URL where a copy of said filing can be viewed: <http://ttabvue.uspto.gov/ttabvue/v?pno=91213050&pty=OPP&eno=7>

Inasmuch as the amendment is limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, it 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.²

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

² In view thereof, applicant's motion to suspend (filed December 20, 2013) is moot.