

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

RA

Mailed: December 3, 2014

Opposition No. 91213841

Levi Strauss & Co.¹

v.

509, Inc.

Jennifer Krisp, Interlocutory Attorney:

On October 29, 2014, applicant filed a proposed amendment to its application Serial No. 85890960, with opposer's consent.

By the proposed amendment applicant seeks to amend the identification of goods in International Class 25:

from "Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms; Athletic shirts; Hooded sweat shirts; Long-sleeved shirts; Shirts; Short-sleeved or long-sleeved t-shirts; Sports shirts; Sweat shirts; T-shirts; Tank tops; Tank-tops; Tee shirts"

to "Athletic apparel, namely, footwear, hats and caps."

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

¹ The Board notes opposer's September 16, 2014 notification of dismissal pursuant to a settlement agreement in the civil action which occasioned suspension of this opposition proceeding.

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If the amendment resolves this proceeding, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. *See* Trademark Rule 2.106(c).

If no response is filed, proceedings will be resumed and dates reset, as appropriate.

Proceedings are otherwise suspended.