

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

WINTER/am

Mailed: August 5, 2014

Opposition No. 91214651

MSI Holdings, LLC

v.

FPInnovations

By the Trademark Trial and Appeal Board:

On June 24, 2014, applicant filed the parties' stipulation comprising a proposed amendment to application Serial No. 85029832, and opposer's withdrawal with prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment, applicant seeks to amend the identification of goods in International Class 9, as follows:¹

From:

"Scientific instruments in the nature of ~~electronic~~ analyzers for identifying and analyzing contaminants in paper pulp and recycled paper; software for use in identifying and analyzing contaminants in paper pulp and recycled paper,"

To:

"Scientific instruments in the nature of **image or optical** analyzers for identifying and analyzing contaminants in paper pulp and recycled paper; software for use in identifying and analyzing contaminants in paper pulp and recycled paper."

¹ The lined through wording is deleted from the identification of goods and the highlighted wording is added to the proposed identification of goods.

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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.² *See* Trademark Rule 2.133(a).

The contingency in opposer's withdrawal having now been met, the opposition is dismissed with prejudice.



² The identification of services in International Class 42 remains unchanged.