

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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RA/al

Mailed: April 27, 2015

Opposition No. 91220339

Forever Flowering, LLC

v.

Gintaras GLICAS

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

On March 31, 2015, applicant filed a proposed amendment to its application Serial No. 79152524, with opposer's consent, and on April 10, 2015 opposer filed its withdrawal of the opposition with prejudice.

By the proposed amendment applicant seeks to amend the identification of goods,

from "cladding of wood for building; facings of wood for building; coverings of wood for ceilings; balsa wood; furrings of wood; parquet flooring of cork; wooden doors; doors of wood clad in aluminum; door casings of wood; door frames of wood; plywood; wood veneers; facades of wood for building; facades of wood clad in aluminum; mouldable wood for building; wood rafters; bamboo flooring; hardwood flooring; wooden flooring; wood sports floors; floor boards of wood; floor tiles of wood; wood joints; baseboard of wood; framework of wood for building; stairs of wood; stair treads of wood; window frames of wood; window frames of wood for passive houses; shutters of wood; windows sills of wood; window frames of wood; window frames of wood clad in aluminum; window frames of wood clad in bronze; scantlings, namely, lumber; timber boarding; ceiling boards of wood; wood trim; wood siding; manufactured timber; preserved wood, namely, antidecay wood; wood blocks; glue laminated wood; semi-worked wood; multi-layered wood; semi-worked wood for making household utensils; parquet floor boards; parquet flooring; wood lumber; wooden wainscoting; mouldings of wood for building; semi-worked wood for making

staves; structural timber; planks of wood for building; greenhouses, transportable, of wood for household use; greenhouse frames of wood; noise barriers made of wood; fire resisting wood; prefabricated porches of wood in Class 19"

to "cladding of wood for building; facings of wood for building; coverings of wood for ceilings; balsa wood; furrings of wood; parquet flooring of cork; wooden doors; doors of wood clad in aluminum; door casings of wood; door frames of wood; plywood; wood veneers; facades of wood for building; facades of wood clad in aluminum; mouldable wood for building; wood rafters; bamboo flooring; hardwood flooring; wooden flooring; wood sports floors; floor boards of wood; floor tiles of wood; wood joints; baseboard of wood; framework of wood for building; stairs of wood; stair treads of wood; window frames of wood; window frames of wood for passive houses; shutters of wood; windows sills of wood; window frames of wood; window frames of wood clad in aluminum; window frames of wood clad in bronze; scantlings, namely, lumber; timber boarding; ceiling boards of wood; wood trim; wood siding; manufactured timber; preserved wood, namely, antidecay wood; wood blocks; glue laminated wood; semi-worked wood; multi-layered wood; semi-worked wood for making household utensils; parquet floor boards; parquet flooring; wood lumber; wooden wainscoting; mouldings of wood for building; semi-worked wood for making staves; structural timber; planks of wood for building; noise barriers made of wood; fire resisting wood; prefabricated porches of wood in Class 19."

from " organization of trade fairs and exhibitions for commercial and advertising purposes; auctioneering; distribution of samples; sales promotion for others; advertising; demonstration of goods; outdoor advertising; on-line advertising on a computer network; presentation of goods on communication media, for retail purposes; the bringing together, for the benefit of others of goods, namely, cladding of wood for building, facings of wood for building, coverings of wood for ceilings, balsa wood, furrings of wood, parquet flooring of cork, wooden doors, door of wood clad in aluminum, door casings of wood, door frames of wood, plywood, wood veneers, facades of wood for building and facades of wood clad in aluminum, mouldable wood, wood rafters, bamboo flooring, hardwood flooring, wooden flooring, wood sports floors, floor boards of wood, floor tiles of wood, wood joints, baseboard of wood, framework of wood for building, stairs of wood, stair treads of wood, rails of wood, windows of wood, windows of wood for passive houses, shutters of wood, windows sills of wood, window frames of wood and window frames of wood clad in aluminum as well as window frames of wood clad in bronze, scantlings, timber boarding, ceiling boards of wood, wood trim, wood siding, manufactured timber, preserved wood, namely, antidecay wood, wood blocks, glue laminated wood, semi-worked wood, multi-layered wood, wood for making household utensils, parquet floor boards, parquet flooring, wood lumber, wooden wainscoting, mouldings of wood for building, stave wood, structural timber, planks of wood for building, greenhouses, transportable, of wood, greenhouse frames of wood, noise barriers made of wood, fire resisting wood,

porches of wood, oils for the preservation of wood, wood preservatives, wood dyestuffs, carbonyl for wood preservation, wood mordants, wood coatings, wood stains, coloring wood, wood shavings, preparations for destroying dry rot fungus, excluding the transport thereof, enabling customers to conveniently view and purchase those goods in retail stores, wholesale outlets, through mail order catalogues, through web sites or television shopping programmes in Class 35"

to "organization of trade fairs and exhibitions for commercial and advertising purposes; auctioneering; distribution of samples; sales promotion for others; advertising; demonstration of goods; outdoor advertising; on-line advertising on a computer network; presentation of goods on communication media, for retail purposes; the bringing together, for the benefit of others of goods, namely, cladding of wood for building, facings of wood for building, coverings of wood for ceilings, balsa wood, furrings of wood, parquet flooring of cork, wooden doors, door of wood clad in aluminum, door casings of wood, door frames of wood, plywood, wood veneers, facades of wood for building and facades of wood clad in aluminum, mouldable wood, wood rafters, bamboo flooring, hardwood flooring, wooden flooring, wood sports floors, floor boards of wood, floor tiles of wood, wood joints, baseboard of wood, framework of wood for building, stairs of wood, stair treads of wood, rails of wood, windows of wood, windows of wood for passive houses, shutters of wood, windows sills of wood, window frames of wood and window frames of wood clad in aluminum as well as window frames of wood clad in bronze, scantlings, timber boarding, ceiling boards of wood, wood trim, wood siding, manufactured timber, preserved wood, namely, antidecay wood, wood blocks, glue laminated wood, semi-worked wood, multi-layered wood, wood for making household utensils, parquet floor boards, parquet flooring, wood lumber, wooden wainscoting, mouldings of wood for building, stave wood, structural timber, planks of wood for building, noise barriers made of wood, fire resisting wood, porches of wood, oils for the preservation of wood, wood preservatives, wood dyestuffs, carbonyl for wood preservation, wood mordants, wood coatings, wood stains, coloring wood, wood shavings, preparations for destroying dry rot fungus, excluding the transport thereof, enabling customers to conveniently view and purchase those goods in retail stores, wholesale outlets, through mail order catalogues, through web sites or television shopping programmes in Class 35."

International class 37 remains unchanged.

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).

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The opposition is dismissed with prejudice in accordance with the agreement between the parties.