

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

kk/wbc

Mailed: October 4, 2016

Opposition No. 91221024

*INFICON GmbH*

*v.*

*Evotek Engineering SRL*

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

On September 23, 2016, Applicant filed a proposed amendment to application Serial No. 79123209, with Opposer's consent, and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment Applicant seeks to amend the identification of goods in Class 9<sup>1</sup> as follows (additions in bold):

From: Apparatus for transmission or reproduction of sound or images, stands for mobile telephones, covers for mobile telephones, stands for audio-video apparatus and mechanisms, blank magnetic data carriers, blank recording discs, blank compact discs, and DVDs; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric and electronic apparatus and instruments for controlling the operation and driving of vehicles; onboard electronic components of vehicles, namely, computer hardware, central processing units, electrical controllers, multiplexers, electric switches, electronic display screens and structural parts thereof; onboard electronic components of vehicles, namely, electronic controls for internal

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<sup>1</sup> The identification of Classes 12 and 42 are unaffected by this amendment and remain the same.

combustion engines or electric motors for land vehicles; vehicle onboard electronic communications network systems comprised of computer hardware and software for the transmission of data; computer network interface devices; computer network interface devices for vehicle data networks and vehicle bus systems; computer hardware in the nature of computer mainframes for use in vehicles; computer hardware for use in managing data in vehicle data networks, namely, multiplexers and multiplexers with digital graphic display screens; central onboard electronic controllers for vehicles; network routers for vehicles; electrical switches, namely, switch panels for vehicles; meters for measuring electricity; voltage regulators; voltage and amperage testers; cash registers, calculating machines, data processing apparatus, computers; computer software for use in the field of vehicle and engine design, controlling vehicle simulators, carbon fiber applications and acoustics, simulators for training of vehicles driving, simulators for driving and control of vehicles; fire-extinguishing apparatus.

To: Apparatus for transmission or reproduction of sound or images, stands for mobile telephones, covers for mobile telephones, stands for audio-video apparatus and mechanisms, blank magnetic data carriers, blank recording discs, blank compact discs, and DVDs; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric and electronic apparatus and instruments for controlling the operation and driving of vehicles; onboard electronic components of vehicles, namely, computer hardware, central processing units, electrical controllers, multiplexers, electric switches, electronic display screens and structural parts thereof; onboard electronic components of vehicles, namely, electronic controls for internal combustion engines or electric motors for land vehicles; vehicle onboard electronic communications network systems comprised of computer hardware and software for the transmission of data; computer network interface devices; computer network interface devices for vehicle data networks and vehicle bus systems; computer hardware in the nature of computer mainframes for use in vehicles; computer hardware for use in managing data in vehicle data networks, namely, multiplexers and multiplexers with digital graphic display screens; central onboard electronic controllers for vehicles; network routers for vehicles; electrical switches, namely, switch panels for vehicles; meters for measuring electricity; voltage regulators; voltage and amperage testers; cash registers, calculating machines, data processing apparatus, computers; computer software for use in the field of vehicle and engine design, controlling vehicle

simulators, carbon fiber applications and acoustics, simulators for training of vehicles driving, simulators for driving and control of vehicles; fire-extinguishing apparatus, **all of the foregoing not for leak detection.**

Inasmuch as the amendment is 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).

The contingency in Opposer's withdrawal having now been met, the opposition is dismissed without prejudice.