

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

Mailed: April 20, 2016

Opposition No. 91221378

Talleres de Escoriaza, S.A.

v.

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BY THE TRADEMARK TRIAL AND APPEAL BOARD:

In its order mailed April 5, 2016, the Board entered Applicant's proposed amendment to the involved goods in International Class 6 in applications Serial Nos. 85844054 and 85844070, but refused to consider the proposed amendment to Applicant's goods in International Class 20 because they are not the subject of this proceeding. In view thereof, the Board also deferred entry of Opposer's withdrawal of the opposition without prejudice and allowed the parties time to advise the Board on whether the proceeding should be dismissed.

Upon further consideration of this matter, the Board has determined that, as a convenience to the parties and because the proposed amendment to the goods in International Class 20 only limits the goods pursuant to the requirements of Trademark Rule 2.71(a), the Board will enter the proposed amendment to those goods.

Turning to the proposed amendment, the parties request that the goods in International Class 20, which are identical in both applications, be amended as follows:

From:

Cable clips of plastics; plastic labels; hooks, namely, wall hooks, ceiling hooks, coat hooks, clothes hooks, curtain hooks; ~~mounting brackets for general use~~; fastening anchors for securing pictures to walls; connecting dowels; binding screws, cable clips, plug clips for bundling cables of electrical devices; all of the aforementioned goods not or predominantly not of metal; curtain rails, shower curtain rails; curtain rods; shower curtain rods.

To:

Cable clips of plastics; plastic labels; hooks, namely, wall hooks, ceiling hooks, coat hooks, clothes hooks, curtain hooks; fastening anchors for securing pictures to walls; connecting dowels; binding screws, cable clips, plug clips for bundling cables of electrical devices; all of the aforementioned goods not or predominantly not of metal; curtain rails, shower curtain rails; curtain rods; shower curtain rods.

Inasmuch as the amendment in each application 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).

The contingency in Opposer's withdrawal having now been met, and Applicant's consent being of record, the opposition is dismissed without prejudice. *See* Trademark Rule 2.106(c).

