

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Mailed: May 11, 2016

Opposition No. 91224016

*Crimson U.S. Assets LLC*

*v.*

*Avacta Limited*

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

On April 15, 2016, Applicant filed a stipulation motion to amend subject application Serial No. 79154375 and to contingently withdraw the opposition with prejudice. By the motion, Applicant moves to amend the identification of goods in International Class 5

from: Reagents for use in veterinary and medical diagnostic tests; reagents for use in medical and veterinary research; diagnostic reagents for use in medical and veterinary screening; diagnostic reagents for use in assays of biological samples, particularly blood; diagnostic reagents for use in assays of samples, particularly blood; diagnostic preparations for use in relation to food intolerance testing; pharmaceutical substances based on affinity reagents equivalent to antibodies and products comprising them, all for use in medical and/or veterinary screening; antigens for diagnostic and/or pharmaceutical purposes; diagnostic and/or pharmaceutical preparations containing antigens; substrates impregnated with or carrying antigens for diagnostic and/or pharmaceutical purposes; affinity reagents equivalent to antibodies for diagnostic and/or pharmaceutical purposes; pharmaceutical or diagnostic preparations containing affinity reagents equivalent to antibodies; substrates impregnated with or carrying affinity reagents equivalent to antibodies for pharmaceutical purposes; wound dressings;

medical plasters; antiseptic wipes; diagnostic agents for medical use, containing any of the aforesaid products;

to: Reagents for use in veterinary and medical diagnostic tests, except tests in the field of immunohematology and transfusion medicine; reagents for use in medical and veterinary research except screening in the field of immunohematology and transfusion medicine; diagnostic reagents for use in assays of biological samples, particularly blood, except in the field of immunohematology and transfusion medicine; diagnostic reagents for use in assays of samples, particularly blood, except in the field of immunohematology and transfusion medicine; diagnostic reagents for use in medical and veterinary screening, except screening in the field of immunohematology and transfusion medicine; diagnostic preparations for use in relation to food intolerance testing; pharmaceutical substances based on affinity reagents equivalent to antibodies and products comprising them, all for use in medical and/or veterinary screening, except screening in the field of immunohematology and transfusion medicine; antigens for diagnostic and/or pharmaceutical purposes other than immunohematology and transfusion medicine; diagnostic and/or pharmaceutical preparations containing antigens, except preparations in the field of immunohematology and transfusion medicine; substrates impregnated with or carrying antigens for diagnostic and/or pharmaceutical purposes other than immunohematology and transfusion medicine; affinity reagents equivalent to antibodies for diagnostic and/or pharmaceutical purposes other than immunohematology and transfusion medicine; pharmaceutical or diagnostic preparations containing affinity reagents equivalent to antibodies, except in connection with immunohematology or transfusion medicine; substrates impregnated with or carrying affinity reagents equivalent to antibodies for pharmaceutical purposes other than immunohematology or transfusion medicine; wound dressings; medical plasters; antiseptic wipes; diagnostic agents for medical use except in connection with immunohematology and transfusion medicine, containing any of the aforesaid products.

Inasmuch as the amendment is limiting in nature as required by Trademark Rule 2.71(a), and because Opposer consents thereto, the motion to amend is **granted**. See Trademark Rule 2.133(a).

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