

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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mw/kk

Mailed: October 5, 2016

Opposition No. 91226926

Hackforth GmbH

v.

Lokring Technology, LLC

By the Trademark Trial and Appeal Board:

On September 22, 2016, Opposer filed a proposed amendment¹ to Applicant's application Serial No. 86607625, 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 6 as follows (additions in bold):

From: Mechanically attached pipe and tube fittings made of metal.

To: Mechanically attached pipe and tube fittings made of metal, **excluding fittings and pipe used in connection with heating, ventilating, air conditioning, purification, refrigerating, freezing (excepting cryogenics), cooling, heat exchangers, household appliances, and vehicle fuel, brake and steering lines.**

¹ It is noted that Opposer's filing fails to include certificate of service on opposing party. Future filings must comply with the service requirements in Trademark Rule 2.119 and TBMP Section 113. The Board may decline to consider future non-compliant filings.

By the proposed amendment Applicant seeks to amend the identification of goods in Class 7 as follows:

From: Hydraulically operated tools for installing fittings on metal pipes.

To: Hydraulically operated tools for installing fittings on metal pipes, **excluding tools and pipes used in connection with heating, ventilating, air conditioning, purification, refrigerating, freezing (excepting cryogenics), cooling, heat exchangers, household appliances, and vehicle fuel, brake and steering lines.**

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).

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