

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

BUO/Am

Mailed: March 22, 2017

Opposition No. 91227045

Fullpower Technologies, Inc.

v.

*Datalogic USA, Inc.*¹

By the Trademark Trial and Appeal Board:

On March 6, 2017, Opposer filed Applicant's proposed amendment to its application Serial No. 85184655, with Opposer's consent, and Opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 9 to add the following underlined wording and delete the following stricken wording:

Computer software and computer hardware for switching between different modes of operation, all for use with optical, ~~electronic, RFID, and magnetic~~ data readers, namely, handheld optical code scanners; computer software and computer hardware all for use with a motion sensor that automatically switches between fixed-stand mode operation and handheld mode operation and integrated in handheld optical code scanners.

¹ The Board notes the merger from Datalogic ADC, Inc. to Datalogic USA, Inc. recorded on January 12, 2017 and recorded at Reel 5965/Frame 0221.

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The amendment is limiting in nature, as required by Trademark Rule 2.71(a). Because Opposer consents, the amendment is **APPROVED** and **ENTERED**. *See* Trademark Rule 2.133(a).

The contingency of Opposer's withdrawal having been met, the opposition is **DISMISSED** in accordance with the agreement between the parties.