

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

CME/nmt

Mailed: August 1, 2017

Opposition No. 91227911

Elite IT Partners, Inc.

v.

1601054 Alberta Ltd

Christen M. English, Interlocutory Attorney:

On July 11, 2017, the parties filed a stipulated motion to amend Applicant's involved application Serial No. 86145088, and to withdraw the opposition, contingent upon entry of the proposed amendment. By proposed amendment, Applicant seeks to delete International Class 42 in its entirety.¹

In an opposition to an application having multiple classes, if the Applicant files a request to amend the application to delete an opposed class, the request for amendment is, in effect, an abandonment of the application with respect to that class, and is governed by Trademark Rule 2.135. TBMP §602.01 (June 2017). Because the parties' written consent is of record, involved application Serial No. 86145088 stands abandoned with respect to the services in International Class 42 and the opposition is dismissed without prejudice. Application Serial No. 86145088 will move forward with respect to the remaining classes only.

¹ The goods in unopposed International Class 9 and the services in unopposed International Classes 38, 41, and 45 are to remain unchanged.