

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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Alexandria, VA 22313-1451  
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am/gcp

Mailed: October 12, 2016

Opposition No. 91228645

*Franck Sauer, Palm Beach Studios and  
Yann Robert*

*v.*

*Fox International Channels (US), Inc.*

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

On October 4, 2016, Applicant filed a proposed amendment to its application Serial No. 86419794, pursuant to the parties' settlement agreement.

By the proposed amendment Applicant seeks to amend the identification of goods in Class 9 as follows:<sup>1</sup>

from

Pre-recorded DVDs featuring drama; pre-recorded CDs featuring drama; downloadable video recordings featuring drama; downloadable television shows and video recordings featuring drama; downloadable ring tones, graphics, computer desktop wallpaper, ~~games via a global computer network and wireless devices~~; computer screen saver software; ~~computer game and video game software~~; mousepads; decorative magnets; eye glasses; downloadable mobile software applications for mobile communication devices for use in distribution of digital video, video files, ~~video games~~, and multimedia content; all of the foregoing relating to a television series featuring a paranormal drama

to

Pre-recorded DVDs featuring drama; pre-recorded CDs featuring drama; downloadable video recordings featuring drama; downloadable television shows and video recordings featuring drama; downloadable ring tones, graphics,

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<sup>1</sup> Deleted text is stricken through.

computer desktop wallpaper, computer screen saver software; mousepads; decorative magnets; eye glasses; downloadable mobile software applications for mobile communication devices for use in distribution of digital video, video files, and multimedia content; all of the foregoing relating to a television series featuring a paranormal drama

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because Opposers consent thereto, the amendment is **APPROVED** and entered. *See* Trademark Rule 2.133(a).

On October 11, 2016, Opposers filed a withdrawal of the opposition without prejudice. The Board construes Opposers' withdrawal to be contingent upon the Board accepting Applicant's proposed amendment.

The construed contingency in Opposers' withdrawal having now been met, the opposition is dismissed **without prejudice** since there is no answer of record. Trademark Rule 2.106(c).