

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

mw/ey

Mailed: November 28, 2017

Opposition No. 91231903

*Consejo Regulador de la Denominacion de
Origen Rioja*

v.

BAI Brands, LLC

Michael Webster, Interlocutory Attorney:

On November 20, 2017, Applicant filed a stipulated proposed amendment to application Serial No. 86973400 and withdrawal of the opposition with prejudice.

By the proposed amendment Applicant seeks to enter a disclaimer of the term “RIOJA.” In accordance with TMEP § 1213.08(a)(i), the standardized disclaimer text is as follows:

No claim is made to the exclusive right to use “RIOJA” apart from the mark as shown.

The Board finds that the amendment to enter the disclaimer is in compliance with Trademark Act Section 6, 15 U.S.C. § 1056. Moreover, Opposer consents to the amendment, as required by Trademark Rule 2.133. In view of these findings, the amendment is approved and entered.

The contingency in Opposer’s withdrawal having been met, the Opposition is dismissed with prejudice.