

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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tdc/apb

October 5, 2018

Opposition No. 91235420

Voyetra Turtle Beach, Inc.

v.

Tomas Maier LLC

By the Trademark Trial and Appeal Board:

On September 20, 2018, Applicant filed a proposed amendment to application Serial No. 86974050, with Opposer's consent, and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.¹

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 9 as follows:

from "Optical apparatus and instruments, namely, optical lenses, magnifying glasses, monocles, binoculars, opera glasses, goggles for sports, goggles for skiing, contact lenses, cases for contact lenses, spectacles, sunglasses, pince-nez; pince-nez mountings, cases for spectacles and sunglasses, cases for pince-nez, chains for spectacles and for sunglasses, frames for spectacles and sunglasses, eyeglass cords; telephone receivers, telephone apparatus, video telephones, mobile phones, antennas for mobile phones, batteries for mobile phones, chargers for mobile phones, cases for mobile phones, mobile phone straps, microphones for mobile phones, loudspeakers for mobile phones, earphones for mobile phones, hands-free kits for mobile phones; apparatus and instruments for recording, transmission or reproduction of sounds or images, blank magnetic data carriers, blank recording discs, blank sound recording discs, blank sound recording carriers, radios, televisions, video recorders, blank compact discs, compact disc players, compact disc portable music players, cases for portable music players; blank video

¹ Applicant's consented motion to extend filed September 7, 2018 is noted.

cassettes, DVD players, DVD recorders; photographic and cinematographic apparatus and instruments, namely, television cameras, digital cameras, video cameras; computer hardware apparatus for record, data processing and computer hardware equipment, computers, blank floppy disks, computer keyboards, blank compact discs, computer peripheral devices, monitors, blank optical discs, notebook computers, mouse pads, computer game programs; electronic agendas; protective helmets"

to "goggles for sports, goggles for skiing, spectacles, sunglasses, cases for spectacles and sunglasses, chains for spectacles and for sunglasses, frames for spectacles and sunglasses, eyeglass cords"

The amendment is limiting in nature, as required by Trademark Rule 2.71(a).

Because Opposer consents thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a). In view of such entry, the opposition is dismissed without prejudice.