

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Tdc/jk

Mailed: February 8, 2018

Opposition No. 91236199

Wyeth LLC, Pfizer Inc.

v.

Casper Pharma LLC

By the Trademark Trial and Appeal Board:

On January 18, 2018, Opposer filed the parties' stipulation with Applicant's proposed amendment to its application Serial Nos. 87225080, 87225103 and 87225111, with Opposer's consent, and Opposer's withdrawal without prejudice of the oppositions, contingent upon entry of the amendments.

By the proposed amendment, Applicant seeks to amend the identification of goods in Serial Nos. 87225080, 87225103 and 87225111 by adding at the end of the list of goods in each application, "none of the foregoing consisting of products specifically marketed or specifically intended for pediatric use" such that the resulting identifications of goods will read as follows:

Serial No. 87225080:

Pharmaceutical preparations for the treatment of bronchitis, rhinitis, sinusitis, respiratory congestion, and respiratory ailments, none of the foregoing consisting of products specifically marketed or specifically intended for pediatric use

Serial No. 87225103:

pharmaceutical preparations for the treatment of bronchitis, rhinitis, sinusitis, respiratory congestion, and respiratory ailments, none of the foregoing consisting of products specifically marketed or specifically intended for pediatric use

Serial No. 87225111:

pharmaceutical preparations for the treatment of bronchitis, rhinitis, sinusitis, respiratory congestion, and respiratory ailments, none of the foregoing consisting of products specifically marketed or specifically intended for pediatric use

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).

The contingency in the parties' stipulation having now been met, the opposition is dismissed without prejudice.