

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

Baxley

Mailed: December 28, 2017

Opposition No. 91237196

Genesis Design, Inc.

v.

Pohl Enterprises, Inc.

Andrew P. Baxley, Interlocutory Attorney:

On December 1, 2017, the Board issued a notice of default under Fed. R. Civ. P. 55(a) because no answer is of record.

In response thereto, Applicant, on December 15, 2017, filed a fully executed copy of the parties' settlement agreement whereby Applicant agreed to amend the recitation of services of its involved application Serial No. 87252784. In view of the filing of settlement agreement, the Board finds that Applicant has shown good cause why judgment by default should not be entered herein. See Fed. R. Civ. P. 55(c); TBMP § 312.02 (June 2017). Accordingly, the notice of default is hereby set aside.

By the proposed amendment, Applicant seeks to amend the recitation of services **from** "Business consulting services, namely, providing assistance in development of business strategies and creative ideation; Business organization and management consulting; New business venture development and formation consulting services"

to “Consulting services for business operations, namely, providing assistance in development of operational strategies, and business organization and management consulting to maximize operational efficiency.”

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).

If the amendment resolves this proceeding, Opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. *See* Trademark Rule 2.106(c). Proceedings are otherwise suspended.