

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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JMW/JV/CAB

May 6, 2019

Opposition No. 91239766

Shire International Licensing BV

v.

Sabinsa Corporation

Cheryl Butler
Senior Counsel, TTAB

On January 3, 2019, Applicant filed a proposed amendment to its application Serial No. 87500669 with Opposer's consent.

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 5 to "Dietary and nutritional supplements; ~~Dietary and nutritional supplements used for weight loss~~; Dietary food supplements; Dietary supplements; Dietary supplements for human consumption; Dietary supplements for humans and animals; Natural dietary supplements; Nutraceuticals for use as a dietary supplement **all of the foregoing containing Forskolin and Garcinol as essential ingredients, and sold on a non-prescription basis for weight loss.**"¹

¹ Stricken language indicates proposed language to be deleted. Language in bold indicates the proposed addition to the application

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 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).

If no response is filed, proceedings will be resumed and dates reset, as appropriate.

Proceedings are otherwise suspended.²

² In view of the suspension of the proceeding, Plaintiff's motion to suspend, filed March 14, 2019, is deemed moot.