

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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mw/kk

October 16, 2018

Opposition No. 91239799 (Parent)
Opposition No. 91239800

Evernote Corporation

v.

Lotus and Lion, LLC

By the Trademark Trial and Appeal Board:

On September 24, 2018, Applicant filed a proposed amendment to application Serial Nos. 87286764 and 87286761, with Opposer's written consent, and the parties' stipulation to withdraw the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the identification of services as follows (additions in bold):

From: Electronic storage of digital content including text, photographs, images, video, and audio.

To: Electronic storage of digital content including text, photographs, images, video, and audio, **namely, electronic storage of private and public data repositories for text, photographs, images, video, and audio, and excluding electronic storage of digital content in connection with note taking software, or software for creating or storing typed, handwritten, or imaged notes or clippings.**

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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 with prejudice.