

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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WINTER/ra

July 9, 2021

Opposition No. 91245440 (Parent)

Textron Innovations Inc.

v.

*Shenzhen Sishang Technology¹
and Education Co., Ltd.*

Opposition No. 91245441

Bell Textron Inc.²

v.

*Shenzhen Sishang Technology and
Education Co., Ltd.,*

Opposition No. 91245619

Textron Innovations Inc.

v.

*Shenzhen Sishang Technology and
Education Co., Ltd.,*

¹ The Board notes Applicant's name change from Shenzhen Bell Creative Science and Education Co., Ltd. to Shenzhen Sishang Technology, recorded on August 7, 2020, in the Assignment Division of the USPTO, at Reel/Frame 7017/0491.

² The parties also advise that Bell Helicopter Textron Inc. recently changed and recorded its name to Bell Textron Inc. 76 TTABVUE 4.

Opposition No. 91245621

Bell Textron Inc.

v.

Shenzhen Sishang Technology and Education Co., Ltd.

Opposition No. 91246719

Bell Textron Inc.

v.

Shenzhen Sishang Technology and Education Co., Ltd.,

Opposition No. 91246720

Textron Innovations Inc.

v.

Shenzhen Sishang Technology and Education Co., Ltd.,

Opposition No. 91246721

Bell Textron Inc.

v.

Shenzhen Sishang Technology and Education Co., Ltd.,

Opposition No. 91246722

Textron Innovations Inc.

v.

Shenzhen Sishang Technology and

Opposition No. 91245440, 91245441, 91245619, 91245621, 91246719, 91246720, 91246721, 91246722, 91248454 and 91248463

Education Co., Ltd.,

Opposition No. 91248454

Bell Textron Inc.

v.

*Shenzhen Sishang Technology and
Education Co., Ltd.,*

Opposition No. 91248463

Textron Innovations Inc.

v.

*Shenzhen Sishang Technology and
Education Co., Ltd.*

By the Trademark Trial and Appeal Board:

On April 16, 2021, Applicant filed proposed amendments to the goods and/or services identified in five of the opposed applications in these consolidated proceedings, with Opposers' consent, and Opposers' withdrawal of the respective oppositions with prejudice, contingent upon the entry of the proposed amendments to the five identified applications. 76 TTABVUE. Specifically, by the proposed amendments, Applicant seeks to amend the identifications of goods and services in International Classes 28 and/or 41 of only the following involved trademark applications:

1. BELL.AI, Serial No. 87855291 in International Classes 28 and 41, in Opp. No. 91246719;

Opposition No. 91245440, 91245441, 91245619, 91245621, 91246719, 91246720, 91246721, 91246722, 91248454 and 91248463

2. BELLROBOT, Serial No. 87528831 in International Class 28, the subject of Opp. No. 91248454;
3. BELLROBOT, Serial No. 87528838 in International Class 41, the subject of Opp. No. 91245619;
4. BELL.AI & Design, Serial No. 87855265 in International Classes 28 and 41, the subject of Opp. No. 91246721; and,
5. BELLROBOT & Design, Serial No. 87855302 in International Classes 28 and 41, the subject of Opp. No. 91245440.

Further, the parties request that all applications for which amendment is sought³ be amended using identical wording, so that all goods in International Class 28 and all services in International Class 41 shall read as follows, with the additional punctuation and wording shown in bold type:

International Class 28:

Amusement game machines; Body-building apparatus; Construction toys; In-line roller skates; Interlocking construction toys; Manually-operated exercise equipment for physical fitness purposes; Mechanical toys; Physical fitness equipment, namely, exercise bands, training bars; Toy construction sets; Toy robots, Transforming robotic toys; Wrist guards for athletic use; **none of the foregoing to include toy aircraft, toy aircraft model kits, remote controlled or robotically controlled toy aircraft, scale model toy aircraft, toy helicopters or toy drones**

International Class 41:

Arranging professional workshop and training courses in the field of exercise, fitness, game, toys and robots; Education services, namely, providing tutoring in the fields of exercise, fitness, games, toys and robots; Educational services,

³ The parties do not request changes to the identifications of goods or services in the applications involved in the other five consolidated oppositions.

namely, conducting classes, seminars, conferences and workshops in the field of exercise, fitness, games, toys and robots; Entertainment services, namely, providing brain training games on-line and in mobile wireless form; Entertainment services, namely, providing on-line computer games; Games equipment rental; Gymnastic instruction; Production and distribution of monoscopic and stereoscopic, electronic, digital video and film; Production and distribution of videos in the field of exercise, fitness, games, toys and robots; Publication of books; Scriptwriting services for non-advertising purposes; Toy rental; **none of the foregoing services related to toy aircraft, toy aircraft model kits, remote controlled toy aircraft, scale model toy aircraft, toy helicopters or toy drones in the field of aviation, aircraft, flight training, flight education, flight simulators, helicopters, drones, aircraft support, aircraft maintenance and repairs or aircraft equipment installations**

The Board finds that the proposed amendments are limiting in nature, as required by Trademark Rule 2.71(a). Because Opposers consent thereto, the amendments are approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Opposers' withdrawal having now been met, all previously consolidated oppositions herein are hereby dismissed with prejudice.⁴



⁴ A copy of this order will be uploaded into each opposition file.