

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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mbm/lw

April 24, 2020

Opposition No. 91251210

MDM Products LLC

v.

Rhino USA, Inc.

Mary Beth Myles, Interlocutory Attorney:

On March 4, 2020, Applicant filed alternative proposed amendment to its application Serial No. 87592517, with Opposer's consent. Although the amendment was limiting in nature, it could not be approved because the involved application is also the subject of Opposition No. 91250676, where the Opposer is NAADE, Inc. Accordingly, Applicant was provided time in which to obtain and submit the consent of NAADE, Inc. to the proposed amendment.

On April 20, 2020, Applicant submitted a revised motion to amend its involved application, with the consent of Opposer and NAADE, Inc. By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 22 as follows (additions indicated in **bold**).

From: Cargo and carrier equipment for vehicles comprised of synthetic textile materials, excluding artificial leather, namely, tow ropes, tow straps, ratchet tie-down straps, quick release tie down straps, lashing straps, and tarp straps

To: cargo and carrier equipment for vehicles comprised of synthetic textile materials, **excluding instant garages, tents, tarpaulins, protective fabric canopies and vehicle covers; and** excluding artificial leather, namely, tow ropes, tow straps, ratchet tie-down straps, quick release tie down straps, lashing straps, and tarp straps.

The amendment is limiting in nature, as required by Trademark Rule 2.71(a). Because Applicant has the consent of all Opposers, 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.