

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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June 4, 2020

Opposition No. 91251648

Aterica, Inc.

v.

Owen Mumford Limited

By the Trademark Trial and Appeal Board:

On May 28, 2020, Applicant filed its second stipulated proposed amendment to its involved application Serial No. 79227833, and Opposer's withdrawal of the opposition without prejudice, contingent upon entry of the amendment. 17 TTABVUE.

By the proposed amendment, Applicant seeks to amend the identification of goods in the involved application as follows (additions displayed in **bold** and deletions in ~~strikethrough~~):

From: ~~Surgical apparatus and instruments for medical, dental and veterinary use; artificial limbs, eyes and teeth; suture materials; safety medical syringes; lancets; lancing medical devices; single use lancing medical devices; blood lancets; disposable lancets for finger puncture; blood testing apparatus; needles for medical purposes; medical pen needles; medical safety pen needles; suture needles; hypodermic needles; medical syringes; injection syringes; auto-injector medical syringes; medical syringe needles; needles for injections; needles for surgical purposes; disposable needles for finger puncture; surgical cutlery; eye droppers; gynaecological vaginal dilators; medical devices for gynaecological treatment; medical devices for treating erectile dysfunction; parts and fittings for all the aforesaid goods;~~

To: **Unfilled** safety medical syringes; lancets; lancing medical devices; single use lancing medical devices; disposable lancets for finger puncture; **unfilled** needles for medical purposes; **unfilled** medical pen needles; **and unfilled** medical syringes; **excluding unfilled auto-injector medical syringes, smart devices, and devices that incorporate a sensor and/or instrumentation.**

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 Opposer's withdrawal having now been met, the opposition is dismissed without prejudice as to the involved application in accordance with the agreement between the parties.
