

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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August 9, 2022

Opposition No. 91253204 (parent)

Opposition No. 91253335

Opposition No. 91255042

RELX Group PLC

v.

Shenzhen Relx Technology Co., Ltd.

By the Trademark Trial and Appeal Board:

On July 29, 2022, Applicant filed a proposed amendment to application Serial Nos. 88597948, 88597966, 88597939, 88533344, and 88592461 with Opposer's written consent, and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

In an opposition to an application having multiple classes, if the Applicant files a request to amend the application to delete an entire opposed class, the request for amendment is an abandonment of the application with respect to that class, and is therefore governed by Trademark Rule 2.135. *See* TBMP Section 602.01.

By the proposed amendment, applicant seeks to amend the identification of goods in International Class 35 in application Serial Nos. 88597948, 88597966, 88597939, and 88533344. Applicant also seeks to delete classes 38 and 42 in their entirety in

Application Serial No. 88592461 and to amend the identifications of goods and services in International Class 9 and 35. (Underlined wording is added and strike-through wording is deleted):

Application Serial Nos. 88597948, 88597966, 88597939, and 88533344

FROM

International Class 35 ~~Advertising, marketing, commercialization management of the licensing of the goods and services of others, commercial information and advice for consumers, management assistance to industrial or commercial companies, organization of exhibitions for commercial or advertising purposes, organization of exhibitions and trade fairs for commercial or advertising purposes, promotion, and~~ retail store services and online retail store services in the field of heated tobacco products, electronic cigarettes, electronic smoking devices, electronic devices and their parts for the purpose of heating cigarettes or tobacco in order to release nicotine-containing aerosol for inhalation, oral vaporizing devices, vaporizers for electronic cigarettes and smoking devices, electronic rechargeable cigarette cases, extinguishers for heated cigarettes and cigars as well as heated tobacco sticks, liquid nicotine solutions for use in electronic cigarettes, tobacco substitutes not for medical purposes, smokers' articles, batteries for electronic cigarettes and for heating portable electronic smoking devices, battery chargers, chargers for electronic devices, and parts and fittings for the aforementioned goods

TO

International Class 35 Retail store services and online retail store services in the field of heated tobacco products, electronic cigarettes, electronic smoking devices, electronic devices and their parts for the purpose of heating cigarettes or tobacco in order to release nicotine-containing aerosol for inhalation, oral vaporizing devices, vaporizers for electronic cigarettes and smoking devices, electronic rechargeable cigarette cases, extinguishers for heated cigarettes and cigars as well as heated tobacco sticks, liquid nicotine solutions for use in electronic cigarettes, tobacco substitutes not for medical purposes, smokers' articles, batteries for electronic cigarettes and for heating portable electronic smoking devices, battery chargers, chargers for electronic devices, and parts and fittings for the aforementioned goods

Application Serial No. 88592461

FROM

~~International Class 9 Computer storage apparatus, namely, blank flash drives; computer apparatus, namely, blank flash drives; recorded computer programs, namely, recorded computer game programs; recorded computer operating programs; computer peripheral equipment; computer software, namely, recorded computer game programs; recorded computer software, namely, recorded computer electronic cigarettes programs; computer hardware, namely, monitors; computer monitoring apparatus, namely, computer monitors; data processing equipment, namely, couplers; downloadable electronic publications in the nature of magazines, journals and newsletters in the field of electronic cigarettes; downloadable software, namely, computer programs, namely, recorded computer game programs; downloadable music files; downloadable image files containing electronic cigarettes; time recording apparatus; electronic timers; measuring apparatus and instruments, namely, rain gauges; electronic bulletin board apparatus, namely, electronic text-messaging device for use in conjunction with personal digital assistants; telegraphic apparatus, namely, telegraphic transmitting apparatus; video receivers; sound recording devices, namely, recording and playing devices for sound and image carriers; recording devices for sound and image carriers; portable media players; video recording apparatus; batteries; battery chargers; regulated power supply apparatus; on-off sensors; light regulators, electric; light dimmers, electric; electric connections, namely, plugs, sockets and other contacts; temperature indicators; electric sensors; meters; instruments for measuring pressure; batteries for electronic cigarettes; rechargeable batteries for electronic cigarettes; battery chargers for electronic cigarettes; chargers for electronic cigarettes; battery chargers for electronic devices that are used for heating tobacco; USB chargers for electronic devices that are used for heating tobacco~~

~~International Class 35 Advertising; advertising agency services; online advertising on a computer network; presentation of goods on communication media, for retail purposes; placing of advertisements; preparation of advertisements; cost analysis; business information agency services; business management and organization consultancy; market analysis; business evaluation services; business research; provision of business information; arranging exhibitions for commercial purposes; arranging exhibitions for advertising purposes; commercial information and advice for consumers; consumer advice shop; provision business of assistance in the establishment of franchises; administration of the business affairs of franchises; import and export agencies; on-line trading services in which seller posts products to be auctioned and bidding is done via the Internet marketing; arranging and concluding commercial transactions for others; computer file management; data processing; compilation~~

~~of information into computer databases; database management; data retrieval; accounting; account auditing;~~ sponsorship search, promotion, and retail store services and online retail store services in the field of heated tobacco products, electronic cigarettes, electronic smoking devices, electronic devices and their parts for the purpose of heating cigarettes or tobacco in order to release nicotine-containing aerosol for inhalation, oral vaporizing devices, vaporizers for electronic cigarettes and smoking devices, electronic rechargeable cigarette cases, extinguishers for heated cigarettes and cigars as well as heated tobacco sticks, liquid nicotine solutions for use in electronic cigarettes, tobacco substitutes not for medical purposes, smokers' articles, batteries for electronic cigarettes and for heating portable electronic smoking devices, battery chargers, chargers for electronic devices, and parts and fittings for the aforementioned goods

TO

International Class 9 Electronic timers; measuring apparatus and instruments, namely, rain gauges; electronic bulletin board apparatus, namely, electronic text-messaging device for use in conjunction with personal digital assistants; telegraphic apparatus, namely, telegraphic transmitting apparatus; video receivers; sound recording devices, namely, recording and playing devices for sound and image carriers; recording devices for sound and image carriers; portable media players; video recording apparatus; batteries; battery chargers; regulated power supply apparatus; on-off sensors; light regulators, electric; light dimmers, electric; electric connections, namely, plugs, sockets and other contacts; temperature indicators; electric sensors; meters; instruments for measuring pressure; batteries for electronic cigarettes; rechargeable batteries for electronic cigarettes; battery chargers for electronic cigarettes; chargers for electronic cigarettes; battery chargers for electronic devices that are used for heating tobacco; USB chargers for electronic devices that are used for heating tobacco

International Class 35 Sponsorship search, promotion, and retail store services and online retail store services in the field of heated tobacco products, electronic cigarettes, electronic smoking devices, electronic devices and their parts for the purpose of heating cigarettes or tobacco in order to release nicotine-containing aerosol for inhalation, oral vaporizing devices, vaporizers for electronic cigarettes and smoking devices, electronic rechargeable cigarette cases, extinguishers for heated cigarettes and cigars as well as heated tobacco sticks, liquid nicotine solutions for use in electronic cigarettes, tobacco substitutes not for medical purposes, smokers' articles, batteries for electronic cigarettes and for heating portable electronic smoking devices, battery chargers, chargers for electronic devices, and parts and fittings for the aforementioned goods

Opposition No. 91253204

The amendments are limiting in nature, as required by Trademark Rule 2.71(a). Because Opposer consents thereto, the amendments are approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Opposer's withdrawal having now been met, the oppositions are dismissed without prejudice.