UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Hiser/dmd

October 13, 2020

Opposition No. 91255070

Vivi Mobile Communication Co., LTD.

v.

Mark Olmstead

Denise M. DelGizzi,
Chief Clerk of the Board:

On September 28, 2020, Applicant filed a proposed amendment to its application Serial No. 88372977, with Opposer's consent.

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 9 as follows (additions bolded)

From: Downloadable computer software for use as digital currency wallets for use in transferring money and vouchers via mobile phones, smart devices, and online computer networks

To: Downloadable computer software for use as digital currency wallets for use in transferring money and vouchers via mobile phones, smart devices, and online computer networks**, for use in the lottery, betting, gaming, and wagering industries**

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).

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.