

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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WF/RA

November 15, 2021

Opposition No. 91264247

Spark Therapeutics, Inc.

v.

Memorial Health Services

By the Trademark Trial and Appeal Board:

On October 21, 2021, Applicant filed a revised stipulated motion to amend its involved application Serial No. 88644801 and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.¹ 27 TTABVUE.

By the proposed amendment, Applicant seeks to amend the recitation of services and the classification thereof to **International Class 35** as follows (additions are displayed in **bold** and deletions in ~~strikethrough~~):

From: Healthcare; ~~Providing healthcare information; Providing personalized healthcare and medical information in the nature of employer based healthcare programs;~~

To: Healthcare, **namely, providing a referral service for personalized healthcare programs wherein patients are matched with a nurse care coordinator to discuss health care needs, the foregoing excluding gene therapy.**

¹ The Board also note's Opposer's change of correspondence, specifically, a change of email address, filed on September 28, 2021. 26 TTABVUE. Accordingly, the Board's records have been updated appropriately.

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The amendment is limiting in nature, as required by Trademark Rule 2.71(a). Because Opposer stipulates 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 in accordance with the agreement between the parties.