

UNITED STATES PATENT AND TRADEMARK OFFICE  
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Tdc/kb

January 27, 2021

Opposition No. 91265906

*Celestial Seasonings, Inc.*

*v.*

*Abigail C. Yuskaitis*

**By the Trademark Trial and Appeal Board:**

On December 21, 2020, Applicant filed a proposed amendment to application Serial No. 88421490, with Opposer's consent, and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.<sup>1</sup>

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 5 as follows:<sup>2</sup>

**From:** ~~Herbal teas for medicinal purposes; Bath salts and bath preparations for medical purposes; Herbal drinks used to aid in sleep and relaxation; Herbal supplements for sleeping problems; Eye compresses; Herbal extracts for medical purposes; Herbal products, namely, aromatherapy packs containing herbs used for relief from headaches, insomnia and sinus discomfort; Aromatherapy lotions for treating headaches, relieving stress, and curing insomnia; Aromatherapy oils, other than essential oils, for treating anxiety; Aromatherapy oils, other than~~

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<sup>1</sup> Applicant's change of correspondence address filed December 21, 2020 is noted. The Board records have been updated to reflect this change.

<sup>2</sup> The lined-through wording is to be deleted. The Board has also corrected the spelling of the term "foregoing." *Cf.* TMEP § 707.02 (Oct. 2018) (allowing examiner's amendments without prior authorization of applicant for correction of obvious typographical errors).

essential oils, for treating headaches, relieving stress, and curing insomnia; Aromatherapy creams for treating headaches, and relieving stress, curing insomnia; all the foregoing do not contain CBD, cannabis or marijuana

**To:** Bath salts and bath preparations for medical purposes; Herbal supplements for sleeping problems; Eye compresses; Herbal extracts for medical purposes; Herbal products, namely, aromatherapy packs containing herbs used for relief from headaches, insomnia and sinus discomfort; Aromatherapy lotions for treating headaches, relieving stress, and curing insomnia; Aromatherapy oils, other than essential oils, for treating anxiety; Aromatherapy oils, other than essential oils, for treating headaches, relieving stress, and curing insomnia; Aromatherapy creams for treating headaches, and relieving stress, curing insomnia; all the foregoing do not contain CBD, cannabis or marijuana

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.<sup>3</sup>

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<sup>3</sup> In view of the Board's order, Applicant's motion to suspend is moot.