

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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KGC/wbc

September 4, 2021

Opposition No. 91269155

ACT, Inc.

v.

Act! LLC

Wendy Boldt Cohen, Interlocutory Attorney:

On August 26, 2021, Applicant filed a proposed amendment to its application Serial No. 90222503, with Opposer's consent. 8 TTABVUE.

By the proposed amendment, Applicant seeks to amend the identification of goods as follows (additional wording is in bold, and deleted wording is struck through):

From: ~~d~~Downloadable computer programs for business management, namely, customer relationship management, sales automation, billing, and marketing; downloadable computer programs for storing, managing, tracking, analyzing, and reporting data in the field of business management, namely, promotions, sales, customer information management, and billing; downloadable mobile applications for business management, namely, customer relationship management, sales automation, billing, and marketing; downloadable mobile applications for storing, managing, tracking, analyzing, and reporting data in the field of business management, namely, promotions, sales, customer information management, and billing, **none of the foregoing for use in the fields of workforce development, employee foundational skill building in core disciplines, namely, reading, math, graphic literacy, and content identification**

To: Downloadable computer programs for business management, namely, customer relationship management, sales automation, billing, and marketing; downloadable computer programs for storing, managing, tracking, analyzing, and

reporting data in the field of business management, namely, promotions, sales, customer information management, and billing; downloadable mobile applications for business management, namely, customer relationship management, sales automation, billing, and marketing; downloadable mobile applications for storing, managing, tracking, analyzing, and reporting data in the field of business management, namely, promotions, sales, customer information management, and billing, none of the foregoing for use in the fields of workforce development, employee foundational skill building in core disciplines, namely, reading, math, graphic literacy, and content identification

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.