UNITED STATES PATENT AND TRADEMARK OFFICE
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Ky/WBC

May 16, 2023

Opposition No. 91274670

Qiagen Sciences, LLC

v.

Jiangsu GenScript Probio Biotech Co., Ltd.

By the Trademark Trial and Appeal Board:

On May 1, 2023, Applicant filed a proposed amendment to application Serial No. 79310330, with Opposer's consent, and Opposer's withdrawal with prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 1 as follows (additions are in bold):

From:

> Chemical preparations for scientific purposes, other than for medical or veterinary use; biochemical catalysts; chemical preparations for analyses in laboratories, other than for medical or veterinary purposes; diagnostic preparations, other than for medical or veterinary purposes; cultures of microorganisms other than for medical and veterinary use; biological preparation for use in cell cultures other than for medical or veterinary use; bacterial preparations other than for medical and veterinary use; bacteriological preparations other than for medical and veterinary use; enzyme preparations for the food industry; enzyme preparations for use in the detergents industry; enzyme preparations for use in the alcohol industry; protein in raw material form for scientific and medical research; stem cells other than for medical or veterinary purposes

To:

> Chemical preparations for scientific purposes, other than for medical or veterinary use; biochemical catalysts; chemical preparations for analyses in laboratories, other than for medical or veterinary purposes; diagnostic preparations, other than for medical or veterinary purposes; cultures of microorganisms other than for medical and veterinary use; biological preparation for use in cell cultures other than for medical or veterinary use; bacterial preparations other than for medical and veterinary use; bacteriological preparations other than for medical and veterinary use; enzyme preparations for the food industry; enzyme preparations for use in the detergents industry; enzyme preparations for use in the alcohol industry; protein in raw material form for scientific and medical research; stem cells other than for medical or veterinary purposes; **provided, however, that none of the foregoing goods shall include any of the following: (i) reagent kits comprising generic DNA and/or RNA circle, DNA and/or RNA primers, polymerase, and buffers for use in biotechnology fields, (ii) nucleic acid isolation kits, (iii) nucleic acid purification kits, (iv) nucleic acid isolation and purification kits consisting primarily of reagents, gels, membranes, beads, and tubes for molecular biology research and scientific research purposes, (v) scientific apparatus for use in homogenizing biological samples for isolation of DNA or RNA, or (vi) scientific kits for use in the field of DNA isolation consisting primarily of chemical reagents; and provided further, however, that none of the foregoing goods shall be intended for use with reagent kits or microbiome related nucleic acid isolation**

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 with prejudice.