

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500
General Email: TTABInfo@uspto.gov

WINTER/nmt

April 17, 2023

Opposition No. 91276388

Jean Patou

v.

Herbal Brands, Inc.

By the Trademark Trial and Appeal Board:

On March 27, 2023, Opposer filed the parties' stipulation comprising a proposed amendment to the involved applications, Serial Nos. 90680990 and 90781821, and contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 3 as follows (additions shown in bold):¹

From:

Cosmetic preparations for skin care; skin cream; body cream; hand cream; skin lotion; body lotion; non-medicated gel for hair, skin, and eyes; skin care preparations, namely, body balm and non-medicated salves; skin toners; skin cleansers; non-medicated skin serums; non-medicated hair serums; beauty serums; cosmetics, namely, lip gloss and lip balm

To:

Cosmetic preparations for skin care; skin cream; body cream; hand cream; skin lotion; body lotion; non-medicated gel for hair, skin, and

¹ The goods in International Class 5 remain unchanged.

eyes; skin care preparations, namely, body balm and non-medicated salves; skin toners; skin cleansers; non-medicated skin serums; non-medicated hair serums; beauty serums; cosmetics, namely, lip gloss and lip balm; **all of the aforementioned goods excluding perfume, cologne, or other products whose sole purpose is to provide a specific scent.**

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 in accordance with the agreement between the parties.