

UNITED STATES PATENT AND TRADEMARK OFFICE  
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lw/KGC

March 28, 2023

Opposition No. 91280917

*Continental Mills, Inc.*

*v.*

*Buck Wild Bison LLC*

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

On March 17, 2023, Opposer filed the parties' stipulated proposed amendment to Applicant's involved application Serial No. 90577290, and Opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendment. 9 TTABVUE.

By the proposed amendment, Applicant seeks to amend the identification of goods as follows (wording to be deleted is shown in strike-through):

**From:** Bison meat; bison burger patties; ~~bison snack sticks and bison jerky~~

**To:** Bison meat; bison burger patties

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** in accordance with the agreement between the parties.<sup>1</sup>

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<sup>1</sup> In view of the instant motion, which the Board construes as Opposer's consent to discharge Applicant's technical default, Applicant's motion to accept its late-filed answer is **granted** (5 TTABVUE), the answer (4 TTABVUE) is **accepted** as Applicant's operative pleading in this proceeding, and any default against Applicant is **set aside**. Accordingly, Opposer's motion to suspend this proceeding and extend the time to respond to Applicant's motion to accept its late-filed answer is **moot**. 8 TTABVUE.