

**THIS ORDER IS NOT A  
PRECEDENT OF THE TTAB**

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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RK/nmt

March 10, 2023

Opposition No. **91281588**

*Ansell Limited*

*v.*

*Pikdare-Società per Azioni*

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

On March 7, 2023, Applicant filed a proposed amendment to Application Serial No. 79325276.<sup>1</sup> By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 10 to delete all of the opposed goods in the class, i.e., disposable medical gloves and medical and surgical gloves.<sup>2</sup>

Generally, an amendment to delete an opposed class from an application having multiple classes operates as an abandonment of the application with respect to that class and is governed by Trademark Rule 2.135. *See* TBMP § 602.01 (June 2022). Similarly, where only a portion of the goods or services in a class is opposed and the applicant files a request to amend the application to delete those opposed goods or services, the request for amendment is, in effect, an abandonment of the application

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<sup>1</sup> 6 TTABVUE.

<sup>2</sup> The goods and services in International Classes 3, 5, 9, 11, 41 and 44, all of which are unopposed, as well as the remaining unopposed goods in International Class 10, remain unchanged.

Opposition No. 91281588

with respect to those goods or services, and is also governed by Trademark Rule 2.135. Here, Applicant's proposed amendment is without the written consent of Opposer.

In view thereof, and because Opposer's written consent to the abandonment is not of record, judgment is hereby entered against Applicant as to the opposed goods in International Class 10, the opposition is sustained and registration to Applicant is refused as to those goods only.

The application will proceed to issuance of a certificate of extension of protection for the remaining goods in International Class 10 and for the goods and services in International Classes 3, 5, 9, 11, 41 and 44.

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