

UNITED STATES PATENT AND TRADEMARK OFFICE
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EY/CH/JMM

January 17, 2024

Opposition No. 91287442

GNC Holdings, LLC

v.

Providence Health & Services - Washington

By the Trademark Trial and Appeal Board:

On January 10, 2024, Applicant filed a proposed amendment to application Serial No. 97272919 with Opposer's written consent, and Opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend recitation of services in International Class 44 as follows (proposed additions are shown in bold font):

FROM: Web-based health assessment services, namely, a series of health- and well-being related questions for a response from the user that result in a report that provides health- and well-being related information in the form of recommended educational resources and treatment information; Providing a website featuring information and advice on food nutrition and lifestyle wellness; planning strategy in the fields of diet, weight loss, diet planning, and lifestyle wellness

TO: Web-based health assessment services, namely, a series of health- and well-being related questions for a response from the user that result in a report that provides health- and well-being related information in the form of recommended educational resources and treatment information; Providing a website featuring

information and advice on food nutrition and lifestyle wellness; planning strategy in the fields of diet, weight loss, diet planning, and lifestyle wellness **all of the foregoing not relating to the sale, manufacture, marketing or promotion of dietary or nutritional supplements**

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.