UNITED STATES PATENT AND TRADEMARK OFFICE
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nmt/RSC

February 20, 2025

Opposition No. 91289038

Electric Visual Evolution, LLC

v.

PDX Equipment Leasing, LLC

By the Trademark Trial and Appeal Board:

On February 12, 2025, Applicant filed a proposed amendment to its application Serial No. 97637525, with Opposer's consent, and Opposer's withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the recitation of services in International Class 35 as follows (deletions with strikethrough, additions in bold).

from

> On-line retail gift shops; On-line retail store services featuring a wide variety of consumer goods of others; On-line retail store services featuring ~~apparel, apparel accessories,~~ smokers' articles, gifts, and general consumer merchandise

to

> On-line retail gift shops; On-line retail store services featuring a wide variety of consumer goods of others; On-line retail store services featuring smokers' articles, gifts, and general consumer merchandise **excluding eyewear such as eyeglasses, sunglasses, sports, snow and ski goggles, protective eyewear and the cases therefor**

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.