

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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lw/al

January 19, 2024

Opposition No. 91289113

*Airwair International Ltd.*

*v.*

*Trelleborg Coated Systems US, Inc.*

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

On January 12, 2024, Applicant filed the parties' stipulated proposed amendment to its involved application Serial No. 97791825, and withdrawal of the opposition without prejudice, contingent upon entry of the amendment.<sup>1</sup>

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 25 as follows (wording to be deleted is shown in strikethrough):<sup>2</sup>

**From:** Polyurethane fabric sold as an integral component of finished clothing items, namely, shirts, singlets, crop tops, jerseys, pants, tights, shorts, knickers, bib tights, bib shorts, bibs not of paper, coats, parkas, vests, ~~footwear~~, head wear, gloves, mittens, glove inserts being liners, coveralls, jumpsuits, rain suits, arm warmers, leg warmers, knee warmers, neck gaiters, fishing waders, athletic base layers, leg gaiters,

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<sup>1</sup> The Board notes that the parties' stipulated submission was not accompanied by a certificate of service. Even though the filing is stipulated, the party filing the request with the Board must include proof of service of the filing on its adversary, as required by Trademark Rule 2.119(b). Counsel should be aware of this requirement. The Board exercises its discretion to consider the filing. A copy of the filing can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

<sup>2</sup> The identification of goods in International Class 24 remains unchanged.

~~balACLavas, scarfs, clothing jackets, dresses, skirts, skorts, suits, socks, shoe covers for use when wearing shoes, pullovers, uniforms~~

**To:** Polyurethane fabric sold as an integral component of finished clothing items, namely, shirts, singlets, crop tops, jerseys, pants, tights, shorts, knickers, bib tights, bib shorts, bibs not of paper, coats, parkas, vests, head wear, gloves, mittens, glove inserts being liners, coveralls, jumpsuits, rain suits, arm warmers, leg warmers, knee warmers, neck gaiters, fishing waders, athletic base layers, leg gaiters, balaclavas, scarfs, clothing jackets, dresses, skirts, skorts, suits, pullovers, uniforms

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 without prejudice in accordance with the agreement between the parties.