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Filing date: **11/24/2025**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|--|
| Proceeding no. | 91298027 |
| Party | Defendant Pure Bio Labs LLC |
| Correspondence address | ERIK J OSTERRIEDER KEARNEY MCWILLIAMS & DAVIS 55 WAUGH DR STE 150 HOUSTON, TX 77007 UNITED STATES Primary email: ejo@kmd.law Secondary email(s): trademarks@kmd.law 713-201-0303 |
| Submission | Other Motions/Submissions |
| Filer's name | /Erik J. Osterrieder/ |
| Filer's email | ejo@kmd.law |
| Signature | /Erik J. Osterrieder/ |
| Date | 11/24/2025 |
| Attachments | Motion to Withdraw and Enter Stipulation.pdf(20224 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BHP Holdings, Inc.
Opposer,

v.

Pure Bio Labs LLC,
Applicant.

§
§
§
§ OPPOSITION No. 91298027
§
§ Ser. No. 98641701
§ PUREBIO LABS & Design
§ Pub. for Opp. Date: March 4, 2025

**APPLICANT’S CONSENTED MOTION TO WITHDRAW PORTION OF
PREVIOUSLY ITS FILED MOTION AND TO ENTER STIPULATION TO DISMISS
OPPOSITION WITH PREJUDICE**

Applicant Pure Bio Labs LLC, with Opposer’s consent, respectfully moves the Board to withdraw the portion of its previously filed motion to approve a narrowing amendment to the goods descriptions in its pending US App. Ser. No. 99317999 for PURE BIO LABS BPC because it agrees with the Board that it lacks jurisdiction to entertain said portion. Dkt. Nos. 5, 7. Moreover, the examiner already entered said narrowing amendment on November 5, 2005 making said portion moot.

As a result and as requested by the Board, Applicant Pure Bio Labs LLC, with Opposer’s consent, respectfully informs the Board within 30 days of November 12, 2025 that the parties wish the Board to enter the stipulation to dismiss with prejudice of Opposition No. 91298027 as no reason remains preventing its entry. Dkt. Nos. 6, 7.

Respectfully submitted,

Dated: November 24, 2025

By: /Erik J. Osterrieder/
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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **APPLICANT'S CONSENTED MOTION TO WITHDRAW PORTION OF ITS PREVIOUSLY FILED MOTION AND TO ENTER STIPULATION TO DISMISS OPPOSITION WITH PREJUDICE** was served via email on Opposer at:

lferrari@cozen.com, llinford@cozen.com, cmenth@cozen.com, and mmcnulty@cozen.com.

Respectfully submitted,

Dated: November 24, 2025

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