

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

vb

Mailed: November 30, 2010

Cancellation No. 92051558

Manhattan Construction
Company

v.

Manhattan Skyline
Construction Corp.

**M. Catherine Faint,
Interlocutory Attorney:**

On November 4, 2010, respondent filed a proposed amendment to its Registration No. 2948795, with petitioner's consent.

By the proposed amendment respondent seeks to amend the identification of goods as follows:

"General contracting services for, and renovation and rehabilitation, of apartment buildings".

Inasmuch as the amendment complies with all of the procedural requirements of Trademark Rule 2.173, it is clearly

limiting in nature, and petitioner consents thereto, it is approved. See Trademark Rule 2.133(a).¹

The amendment will be forwarded to the Post Registration Branch of this Office for appropriate action in accordance with Section 7(e) of the Trademark Act.

If this resolves the dispute herein, petitioner is allowed until **thirty days** from the mailing date of this order to file a withdrawal of the petition to cancel, failing which the petition to cancel will go forward on the registration as amended. See Trademark Rule 2.114(c).

Proceedings are otherwise suspended.

¹ The Board notes that paragraph 6 of the consent agreement appears to place geographic limitations on the registration. Geographic limitations will be considered and determined by the Board only in the context of a concurrent use proceeding. TBMP § 514.03 (2d ed. rev. 2004).