

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Nmt/wbc

Mailed: July 2, 2015

Cancellation No. 92053379

3M Company

v.

CareFusion 2200 Corporation

By the Trademark Trial and Appeal Board:

On June 10, 2015, Respondent was allowed thirty days to submit the required verification or declaration with its proposed amendment to its Registration No. 3342022.

On June 25, 2015, Respondent filed a response to the Board's order, including a declaration under Trademark Rule 2.20, 37 C.F.R. § 2.20.

Inasmuch as the amendment now complies with the requirements of Trademark Rule 2.173, it is limiting in nature,¹ and Petitioner consents thereto, the amendment is approved. *See* Trademark Rule 2.133(a).

¹ By the proposed amendment Respondent seeks to amend the identification of goods in International Class 10 as follows:

from

"PREPACKAGED MEDICAL KITS USED IN GENERAL SURGERY COMPRISED OF STERILE AND NONSTERILE MEDICAL SUPPLIES AND PRODUCTS TO BE USED IN THAT GENERAL SURGERY, NAMELY, NEEDLES, SYRINGES, LOCAL ANESTHETIC, ANTISEPTIC AND DRAPES"

to

"PREPACKAGED MEDICAL KITS USED IN ADVANCED VERTEBRAL AUGMENTATION SURGERY COMPRISED OF STERILE AND NONSTERILE MEDICAL

The amendment will be forwarded to the Post Registration Branch of this Office for entry of the amendment in accordance with Section 7(e) of the Trademark Act.²

The contingency in Petitioner's withdrawal having now been met, the petition to cancel is dismissed with prejudice.

SUPPLIES AND PRODUCTS TO BE USED IN THAT SURGERY, NAMELY, NEEDLES, SYRINGES, LOCAL ANESTHETIC AND DRAPES."

² A copy of the Board's order granting the amendment, and respondent's declaration, will be forwarded electronically for uploading to the record of the registration.