

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

CME/kk

Mailed: October 10, 2013

Cancellation No. 92055326

Filter-All, Inc.

v.

All Filters LLC

Christen M. English, Interlocutory Attorney:

On July 9, 2013, respondent filed a motion to amend the goods in its involved registration, with petitioner's written consent, but respondent neglected to submit the appropriate fee and declaration as required by Trademark Rule 2.173(b). On July 25, 2013, the Board issued an order (the "Prior Order") allowing respondent thirty days to submit the required fee and declaration. In compliance with the Prior Order, respondent timely filed the appropriate fee and declaration.

By the proposed amendment respondent seeks to change the identification of goods

from: "Air filters for air conditioning units; Air filters for domestic use; Filters for drinking water; Water filtering units for domestic use; Water filters; Water filtration pitchers sold empty; Water purifying

units, for potable water for domestic use; Water treatment equipment, namely, cartridge filtration units; Water treatment equipment, namely, reverse osmosis filtration units; Water treatment equipment, namely, reverse osmosis units; Water treatment equipment, namely, water filtration units; Water treatment equipment, namely, water filtration units and reverse osmosis units";

to: "All of the following for residential use only: Air filters for air conditioning units; Air filters for domestic use; Filters for drinking water; Water filtering units for domestic use; Water filters; Water filtration pitchers sold empty; Water purifying units, for potable water for domestic use; Water treatment equipment, namely, cartridge filtration units; Water treatment equipment, namely, reverse osmosis filtration units; Water treatment equipment, namely, reverse osmosis units; Water treatment equipment, namely, water filtration units; Water treatment equipment, namely, water filtration units and reverse osmosis units."¹

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

¹ The underlined wording is proposed to be added to the identification.

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

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).
