

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

VV/wbc

Mailed: March 17, 2016

Cancellation No. 92059833

Avid Airline Products of Rhode Island, Inc.

v.

Avid Technology, Inc.

By the Trademark Trial and Appeal Board:

On February 26, 2016, in response to the Board's February 25, 2016 order, Respondent filed a declaration in support of the proposed amendment to Registration No. 3905003, and authorized the Board to charge Respondent's account a fee required for amendment of a Registration under Trademark Rule 2.6.¹

By the proposed amendment to the Registration No. 3905003, Respondent seeks to amend the identification of goods in International Class 9 of the subject Registration as follows:²

¹ The Board notes that Respondent has certified that he has served a copy of the proposed amendment on the Petitioner's counsel via electronic mail. However, the use of email service is permissible only when the parties agree thereto. See Trademark Rule 2.119 (b)(6). A review of the file record does not reveal an existence of such agreement between the parties. Any future filings must comply with Trademark Rule 2.119. A copy of the proposed amendment can be viewed at <http://ttabvue.uspto.gov/ttabvue/v?pno=92059833>.

² The \$100 fee required for amendment of a registration has been charged against the Respondent's Deposit Account as authorized. Additionally, the proposed amendment pertains to Class 9 of the subject Registration only. The International Classes 15, 35, 37, 41, and 42 of the referenced Registration remain unchanged.

From:

Computer hardware; apparatus for recording, transmission or reproduction of images, sound and video; cables and fibres for the transmission of images, sound and video; computer peripherals; computer software for editing images, sound and video; computer software for processing digital music files; computer software for use in relation to digital animation and special effects of images; computer storage devices, namely, hard disk drives, solid state drives, and computer storage systems comprised of one or more computer hard drives; loudspeakers; microphones; amplifiers; headphones; music-composition software; and sound mixers

To:

Computer hardware; apparatus for recording, transmission or reproduction of images, sound and video; cables and fibres for the transmission of images, sound and video; computer peripherals; computer software for editing images, sound and video; computer software for processing digital music files; computer software for use in relation to digital animation and special effects of images; computer storage devices, namely, hard disk drives, solid state drives, and computer storage systems comprised of one or more computer hard drives; loudspeakers; microphones; amplifiers; headphones **for the professionals and consumer media industry**; music-composition software; and sound mixers.

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

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.³

If the amendment resolves this proceeding, 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).

³ A copy of the Board's order granting the amendment, and Respondent's declaration, will be forwarded electronically for uploading to the registration file.

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If no response is filed, proceedings will be resumed and dates reset, as appropriate.

Proceedings are otherwise suspended.