

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

ey/apb

Mailed: March 9, 2016

Cancellation No. 92062705

Brand Control Ltd

v.

Denise Dilliner

By the Trademark Trial and Appeal Board:

On February 18, 2016, Respondent filed stipulated proposed amendment to Registration No. 3690108, and withdrawal with prejudice of the petition to cancel, contingent upon entry of the amendment. On February 24, 2016, Respondent filed the required declaration in support of the amendment.

By the proposed amendment, Respondent seeks to amend the identification of goods in International Class 25 to delete “footwear,” the only goods in that registration for which cancellation is sought. As amended, the identification of goods would read as follows:

Waterproof jackets and pants; Knit shirts; Rugby shirts; Shirts; Short-sleeved or long-sleeved t-shirts; Sweat shirts; Sweat pants; Sweaters; Bathing suits; Dress suits; Jogging suits; Suits; Singlets; Vests; Shawls and headscarves; Blouses; Gloves; Stockings; Dressing gowns; Underwear; Capes; Jeans; Pajamas; Pullovers; Anoraks; Down jackets; Jackets; Wind resistant jackets; Overcoats; Shorts; Skirts; Miniskirts; Socks; Fleece pullovers; Jumpers; Belts; Dresses; Swimwear; Beachwear; Cardigans; Coats; Trousers; Pinafores; Waistcoats; Overalls; Leotards; Leggings; Ties; Headgear, namely, hats and baseball caps; Bandanas; Headbands; Leather belts

The amendment complies with the requirements of Trademark Rule 2.173 and is limiting in nature. Because Petitioner consents thereto, the amendment is approved. *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.¹

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

¹ 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.