

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

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Mailed: February 24, 2016

Cancellation No. 92062705

*Brand Control Ltd*

*v.*

*Denise Dilliner*

**Andrew P. Baxley, Interlocutory Attorney:**

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.<sup>1</sup>

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. The proposed amended identification of goods is as follows (proposed deletion in strikethrough):

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; ~~Footwear~~;

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<sup>1</sup> In its motion, the parties indicate that “Applicant requests” the amendment and “Respondent consents” to the amendment. Inasmuch as the motion was signed by both parties, the Board presumes that Respondent requests the amendment and Petitioner consents thereto.

Headgear, namely, hats and baseball caps; Bandanas; Headbands; Leather belts

Although the amendment is otherwise acceptable, it was not verified or supported by a declaration under Trademark Rule 2.20. *See* Trademark Rules 2.133(a) and 2.173(b). Accordingly, Respondent is allowed until thirty days from the mailing date of this order to submit the required declaration in support of the amendment, failing which said amendment will be given no further consideration.<sup>2</sup>

Proceedings are otherwise suspended.

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<sup>2</sup> Respondent's change of correspondence address filed January 4, 2016 is noted, and the Board's record has been updated accordingly.