

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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kk/al

June 7, 2019

Cancellation No. 92069825

*Flanders Electric Motor Service, Inc.*

*v.*

*Longyear TM, Inc.*

**By the Trademark Trial and Appeal Board:**

On May 17, 2019, Respondent filed the parties' stipulated proposed amendment to Respondent's Registration No. 5419579, and the parties' stipulation to dismiss with prejudice the petition to cancel, contingent upon entry of the amendment.

By the proposed amendment, Respondent seeks to amend the goods as follows (additions in bold):

From: Earth drilling machine parts and accessories, namely, drill rod loaders, drill rod presenters, and drill rod handlers.

To: Earth drilling machine parts and **non-control system related** accessories, namely, drill rod loaders, drill rod presenters, and drill rod handlers **for drilling applications**.

The amendment complies with the requirements of Trademark Rule 2.173, and is limiting in nature. Moreover, Petitioner consents thereto. Accordingly, 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.<sup>1</sup>

The contingency in the parties' stipulated withdrawal having now been met, the petition to cancel is dismissed<sup>2</sup> with prejudice.<sup>3</sup>

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<sup>1</sup> 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.

<sup>2</sup> The coded literal in TTABVue will be "denied" although the order indicates "dismissed". The language of the literal does not affect the disposition as reflected in the Board order.

<sup>3</sup> Petitioner's consented motion to extend (filed May 13, 2019) is accordingly moot.