

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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Hayes/dmd/wbc

April 28, 2020

Cancellation No. 92072899

Youphorias International Pte Ltd.

v.

Omnia S.R.L.

By the Trademark Trial and Appeal Board:

On March 19, 2020, Respondent filed a proposed amendment to its Registration No. 4574082, and withdrawal of the cancellation proceeding with prejudice, contingent upon entry of the amendment. The written consent of Petitioner and Respondent is noted.

By the proposed amendment, Respondent seeks to amend the identification of goods in International Class 5, as follows (deletions in strikethrough format):¹

From: Pharmaceutical and veterinary preparations for the treatment of pain, inflammation, infections; sanitary preparations for medical purposes; ~~dietetic substances adapted for medical use, namely, health food supplements, dietary food supplements; food for babies; [medical plasters, materials for dressings, namely, gauze, bandages, wadding, burn dressings, wound dressings, surgical dressings, medical dressings, self adhesive dressings;] material for stopping teeth, dental wax; all purpose disinfectants; preparations for destroying vermin; fungicides; herbicides;~~

¹ The remaining goods in the Registration, identified in International Classes 9 and 10, are not at issue in this cancellation proceeding.

To: Pharmaceutical and veterinary preparations for the treatment of pain, inflammation, infections; sanitary preparations for medical purposes; material for stopping teeth, dental wax; all purpose disinfectants; preparations for destroying vermin; fungicides; herbicides.

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.²

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

² 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.