

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

July 29, 2020

Cancellation No. 92073326

Bose Corporation

v.

*Shenzhen Bosidin Science and Technology
Co., Ltd.*

Geoffrey M. McNutt, Interlocutory Attorney:

On May 20, 2020, Respondent filed a proposed amendment to its Registration No. 5920140, with Petitioner's consent.

By the proposed amendment, Respondent seeks to amend the identification of goods by deleting the wording "hearing aids" so that the amended identification would read as follows:

To: Aerosol dispensers for medical use; Fumigation apparatus for medical purposes; Manually-operated exercise equipment for physical therapy purposes; Massage apparatus; Massage apparatus and instruments; Medical apparatus, namely, respiratory equipment and monitors therefor; Physical exercise apparatus, for medical purposes; Sex toys; Vibromassage apparatus.

Although the amendment otherwise is acceptable, it cannot be approved and entered at this time because it was (1) not accompanied by the required fee under

Trademark Rule 2.6; and (2) was not verified or supported by a declaration under Trademark Rule 2.20. *See* Trademark Rules 2.6(a)(11), 2.133(a) and 2.173(b).

Accordingly, Respondent is allowed **THIRTY DAYS** from the date of this order to submit the required fee and declaration in support of the amendment, failing which the amendment will be given no further consideration.¹

Proceedings otherwise are **suspended**.

¹ If the amendment resolves this cancellation proceeding, then when Respondent files the required declaration (and submits the required fee), it can also file Petitioner's withdrawal of the cancellation (with or without prejudice, as agreed to by the parties) contingent upon acceptance and entry of the proposed amendment. If Respondent's submission includes Petitioner's contingent withdrawal of the cancellation, then Petitioner (or its counsel) must sign the submission or file a separate contingent withdrawal.