

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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VV/RSC

November 24, 2020

Cancellation No. 92074533

Beast Gear Limited

v.

ES Distribution LLC

Rebecca Stempien Coyle, Interlocutory Attorney:

On October 30, 2020, Respondent filed a proposed amendment to its Registration No. 5698712. (8 TTABVUE). Respondent's proposed amendment does not include Petitioner's consent, however on November 9, 2020, Petitioner filed a consent motion to suspend for settlement. (9 TTABVUE).

By the proposed amendment, Respondent seeks to amend the identification of goods in International Classes 18 and 28 of the subject registration as follows (deletions shown with strikethrough):¹

International Class 18

From: Backpacks; ~~Dog leashes~~; Duffel bags; Fanny packs; Handbags; Wallets; All-purpose carrying bags

To: Backpacks; Duffel bags; Fanny packs; Handbags; Wallets; All-purpose carrying bags

¹ The identification of goods in International Classes 21 and 22 remain unchanged.

International Class 28

From: ~~Exercise balls; Exercise equipment, namely, exercise resistance bands and foam exercise rollers; Jump ropes; Exercise equipment in the nature of straps that are affixed to exercise equipment for performance of weight resistance exercises; Weight lifting gloves~~

To: Jump ropes

Petitioner is allowed until **THIRTY DAYS** from the date of this order to file its consent to Respondent's proposed amendment, failing which consideration of the proposed amendment may be deferred until final decision or until resolution of this case by motion for summary judgment. See TBMP § 514.03.

Proceedings are otherwise **suspended**.²

² Petitioner's consented motion for suspension for settlement is noted and will be acted on in due course.