

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
TTAB Assistance Center: 571-272-8500  
General Email: [TTABInfo@uspto.gov](mailto:TTABInfo@uspto.gov)

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February 19, 2021

Opposition No. 91230813(Parent)  
Opposition No. 91242769

*Westbrae Natural, Inc.*

*v.*

*Rare Fare Foods, LLC*

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

On January 28, 2021, Applicant filed a stipulated proposed amendment to its application Serial Nos. 86885762, 86885775 and 87736540, and the parties' dismissal of the opposition, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the identification of goods in International Class 29 in application Serial Nos. 86885762 and 86885775 as follows (additions in bold):

From: Fruit-based snack food; Nut-based snack foods; Potato-based snack foods; Vegetable-based snack foods.

To: Fruit-based snack food; Nut-based snack foods; Potato-based snack foods; Vegetable-based snack foods; **all of aforementioned excluding soups, broths, bouillon, chili.**

Opposition Nos. 91230813(Parent) and 91242769

By the proposed amendment, Applicant seeks to amend the identification of goods in Class 30 in application Serial Nos. 86885762 and 86885775 as follows (additions in bold):

From: Corn-based snack foods; Crackers; Flour-based chips; Grain-based snack foods; Rice-based snack foods.

To: Corn-based snack foods; Crackers; Flour-based chips; Grain-based snack foods; Rice-based snack foods; **all of the aforementioned excluding gravies, simmer sauces and culinary sauces.**

By the proposed amendment, Applicant seeks to amend the identification of goods in Class 30 in application Serial No. 87736540 as follows:

From: Crackers; Flour-based chips; Grain-based snack foods.

To: Crackers; Flour-based chips; Grain-based snack foods; **all of the aforementioned excluding gravies, simmer sauces and culinary sauces.**

The amendment is limiting in nature, as required by Trademark Rule 2.71(a). Because Opposer consents thereto, the amendment is approved and entered. See Trademark Rule 2.133(a).

The contingency in Opposer's withdrawal having now been met, the opposition is dismissed in accordance with the agreement of the parties.