

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

BUTLER/Baez

Mailed: March 1, 2007

Opposition No. 91171379

Creative Nightlife Concepts,
LLC

v.

DOWNTOWN RESORTS, LLC

On February 1, 2007, the parties filed applicant's proposed amendment to its application Serial No. 78724475, with opposer's consent, and opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to delete the (highlighted wording) from the identification of goods as follows:

"Resort hotels, resort lodging services, hotels, **restaurant, bar and cocktail lounge services**; hotel, restaurant and bar services featuring customer loyalty programs that provide hotel, restaurant and bar benefits to reward repeat customers; arena services, namely providing facilities for sports, concerts, conventions and exhibitions; cafeterias; snack bars; catering; day care centers; providing banquet and social function facilities for special occasions; providing campground facilities; providing convention facilities; providing facilities for exhibitions; providing travel agency services, namely making reservations and bookings for temporary lodging and entertainment in the nature of restaurants and meals; providing hotel and dining information via the Internet."

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(b), and because opposer consents thereto, it 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 between the parties.

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