

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

AM

Mailed: June 11, 2010

Opposition No. **91187759**

Minnesota Twins, LLC

v.

Charles Myers

On June 1, 2010, applicant filed an abandonment of its application Serial Nos. 77363008 and 77363003.

Trademark Rule 2.135 provides that if, in an *inter partes* proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained as to application Serial Nos. 77363008 and 77363003 and registration to applicant is refused as to those applications.

Also on June 1, 2010, the parties filed applicant's proposed amendment to its application Serial Nos. 77362999 and 77363006, with opposer's consent, and opposer's withdrawal without prejudice of the opposition as to those applications,

with applicant's consent, contingent upon entry of the amendment.

By the proposed amendment applicant seeks to change the Class 41 recitation of services as follows:

From: *"Entertainment services, namely, providing a website featuring photographic, audio, video and prose presentations featuring images of individuals; Mobile media and entertainment services in the nature of content preparation; Providing a web site where users can post ratings, reviews and recommendations on events and activities in the field of entertainment and education"*

To: *"Entertainment services, namely, providing a website featuring photographic, audio, video and prose presentations featuring images of individuals; Mobile media and entertainment services in the nature of content preparation; Providing a web site where users can post ratings, reviews and recommendations on events and activities in the field of entertainment and education; all the foregoing not relating to sports or a sports team."*

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), 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 without prejudice as to application Serial Nos. 77362999 and 77363006.¹

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

¹ Opposer's motion to suspend proceedings filed June 1, 2010 is moot.