

gmm/vw

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

Mailed: September 28, 2015

Opposition No. 91201083 (parent)
Opposition No. 91209135

Minnesota Twins, LLC

v.

Twins Special LLC

By the Trademark Trial and Appeal Board:

On June 24, 2015, the parties filed a stipulation to amend involved application Serial No. 85116041 (involved in Opposition No. 91201083) and involved Serial Nos. 85115992, 85116029 and 85116042 (involved in Opposition No. 91209135) and to withdraw the oppositions without prejudice, contingent upon entry of the amendments.¹ By the proposed amendments, Applicant seeks to amend the identification of goods in each involved application as follows:²

Serial No. 85116041

From:

“Clothing, namely, ~~shirts, tank tops, pants,~~ shorts, ~~sweatshirts, hats,~~ robes, ~~footwear,~~ jackets, belts, jerseys and warm up suits”

¹ In the caption of the filing, Opposer identified the child proceeding as “91201662.” Inasmuch as this child proceeding is 91209135, the Board presumes the reference to 91201662 is a typographical error. The Board treats the filing as pertaining to 91209135.

² Deleted wording is stricken through, and added wording is underlined.

To:

“Clothing, namely, boxing shorts, robes, jackets, belts, jerseys and warm up suits; all the foregoing relating to boxing or martial arts and not relating to any other sports or a sports team, league, mascot or stadium.”

Serial Nos. 85115992, 85116029 and 85116042

From:

“Sports equipment for boxing and martial arts, namely, boxing gloves, boxing bags, punching mitts, belly protectors, groin protectors and shin guards; chest protectors for sports; boxing rings; fighting cages for use with martial arts; martial arts gloves; athletic protective pads for chest, abdomen, belly, shins and head for use with martial arts; punching bags; bags specially adapted for sports equipment; athletic equipment, namely, hand wraps and mouth guards; skipping rope; athletic supporters; athletic equipment, namely, ankle guards, shin guards and head guards; abdominal protectors; martial arts kicking pads; martial arts punching pads; martial arts training equipment; training apparatus for boxing, martial arts, and similar sports; athletic sporting goods, namely, athletic wrist and joint supports”

To:

“Sports equipment for boxing and martial arts, namely, boxing gloves, boxing bags, punching mitts, belly protectors, groin protectors and shin guards; chest protectors for sports; boxing rings; fighting cages for use with martial arts; martial arts gloves; athletic protective pads for chest, abdomen, belly, shins and head for use with martial arts; punching bags; bags specially adapted for sports equipment; athletic equipment, namely, hand wraps and mouth guards; skipping rope; athletic supporters; athletic equipment, namely, ankle guards, shin guards and head guards; abdominal protectors; martial arts kicking pads; martial arts punching pads; martial arts training equipment; training apparatus for boxing, martial arts, and similar sports; athletic sporting goods, namely, athletic wrist and joint supports; all the foregoing relating to boxing or martial arts and not relating to any other sports or sports team, league, mascot or stadium.”

Inasmuch as the amendments are clearly limiting in nature as required by Trademark Rule 2.71(a), and because Opposer consents thereto, the amendments are approved and entered. *See* Trademark Rule 2.133(a).

The contingency in the parties’ stipulated withdrawal having now been met, the consolidated opposition is dismissed without prejudice.