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Filing date: **06/06/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91206079
Party	Plaintiff Athletics Investment Group LLC d/b/a The Oakland Athletics Baseball Company
Correspondence Address	SCOTT P CERESIA COWAN LIEBOWITZ & LATMAN 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036 UNITED STATES spc@cll.com, jmn@cll.com, trademark@cll.com
Submission	Other Motions/Papers
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Signature	/Scott P. Ceresia/
Date	06/06/2014
Attachments	MATHLETICS - Renewed Motion on Consent to Amend and Withdraw.pdf(174087 bytes)

Ref. No. 21307.034

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEALS BOARD**

In re Application Serial No. 85/411,190
Filed: August 30, 2011
For Marks: MATHLETICS and Design
Published in the Official Gazette: January 17, 2012

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ATHLETICS INVESTMENT GROUP LLC D/B/A	:	
THE OAKLAND ATHLETICS BASEBALL	:	Opposition No. 91206079
COMPANY,	:	
	:	
Opposer,	:	
	:	
v.	:	
	:	
3P LEARNING PTY LIMITED,	:	
	:	
Applicant.	:	
-----X		

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

**RENEWED MOTION ON CONSENT TO AMEND APPLICATION AND,
IF ACCEPTED, TO WITHDRAW THE OPPOSITION ON CONSENT**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that the above-captioned application be amended by adding the bolded language **`; all the foregoing not relating to baseball or softball or to identify a sports team, league, mascot or stadium_** to the end of the description of services, which should now read:

ENTERTAINMENT AND EDUCATIONAL SERVICES IN THE NATURE OF ON-LINE REAL-TIME INTERNATIONAL MATH COMPETITIONS WHERE PRE-KINDERGARTEN THRU TWELFTH GRADE STUDENTS CAN RACE AGAINST EACH OTHER AND AGAINST OTHER CHILDREN AROUND THE WORLD IN COMPLETING MATH PROBLEMS; PROVIDING EDUCATIONAL INFORMATION AND PRACTICE PROBLEMS IN THE

ACADEMIC FIELD OF MATHEMATICS VIA A WORLD WIDE WEB WEBSITE; EDUCATIONAL SERVICES, NAMELY, PROVIDING ONLINE PROGRAMS OF INSTRUCTION IN THE FIELD OF MATH FOR USE AS CORE MATH LEARNING PROGRAMS OR SUPPLEMENTAL MATH LEARNING PROGRAMS IN SCHOOLS AND FOR HOME SCHOOLING; EDUCATIONAL SERVICES, NAMELY, PROVIDING ACADEMIC ENRICHMENT PROGRAMS IN THE FIELD OF MATH; EDUCATIONAL SERVICES, NAMELY, CONDUCTING ONLINE MATH COURSES FOR EDUCATORS AND STUDENTS, AND DISTRIBUTION OF TRAINING MATERIAL AND COURSE MATERIAL IN CONNECTION THEREWITH; ARRANGING OF CONTESTS IN THE FIELD OF MATH; PROVIDING RECOGNITION AND INCENTIVES BY THE WAY OF AWARDS AND CONTESTS TO DEMONSTRATE EXCELLENCE IN THE FIELD OF MATH; EDUCATIONAL SERVICES, NAMELY, PROVIDING ONLINE COURSES OF INSTRUCTION IN THE FIELD OF MATH FOR PRE-KINDERGARTEN THRU TWELFTH GRADE; **ALL THE FOREGOING NOT RELATING TO BASEBALL OR SOFTBALL OR TO IDENTIFY A SPORTS TEAM, LEAGUE, MASCOT OR STADIUM** in International Class 41

It is respectfully submitted that this amendment does not require republication as the amendment of the description of services narrows rather than broadens the scope of the application.

This amendment is made pursuant to an Agreement between Applicant and Opposer, who has consented to this amendment. If the amendment is approved by the Board, Opposer, with Applicant's consent, requests that the opposition be withdrawn without prejudice.

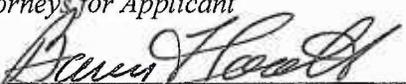
CONCLUSION

Applicant respectfully requests that this request to amend the application be granted in its entirety.

Dated: June 5, 2014

Respectfully submitted,

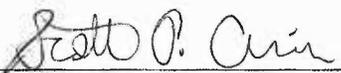
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CONSENTED TO:

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Opposer

By: 

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Scott P. Ceresia, Esq.
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New York, New York 10036
212-790-9200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on June 6, 2014, I caused a true and correct copy of the foregoing RENEWED MOTION ON CONSENT TO AMEND APPLICATION AND, IF ACCEPTED, TO WITHDRAW THE OPPOSITION ON CONSENT to be sent via First Class Mail, postage prepaid, to Applicant's attorney of record and correspondent, Barry F. Soalt, Esq., Procopio Cory Hargreaves & Savitch LLP, 525 B Street, Suite 2200, San Diego, CA 92101.

/ Scott P. Ceresia/
Scott P. Ceresia