

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

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Mailed: June 9, 2014

Opposition No. 91206079

Athletics Investment Group LLC d/b/a
The Oakland Athletics Baseball
Company

v.

3P Learning Pty Limited

By the Trademark Trial and Appeal Board:

On June 6, 2014, applicant filed a renewed, stipulated motion to amend subject application Serial No. 85411190 and to contingently withdraw without prejudice the opposition. By the proposed amendment applicant seeks to add the wording “all the foregoing not relating to baseball or softball or to identify a sports team, league, mascot or stadium” to the end of the current recitation of services, such that the resulting recitation would read as:

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.

Inasmuch as the amendment is limiting in nature as required by Trademark Rule 2.71(a), and because opposer consents thereto, the motion is **granted**, and the amendment is entered. *See* Trademark Rule 2.133(a). The contingency in opposer's withdrawal having now been met, the opposition is **dismissed** without prejudice.