

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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RK/lg

Mailed: April 7, 2015

Opposition No. **91207213**

*Chicago Cubs Baseball Club, LLC and
Washington Nationals Baseball Club, LLC*

v.

Joseph A. Fay

By the Trademark Trial and Appeal Board:

On February 11, 2015, Opposer filed Applicant's proposed amendment to **application Serial No. 85452733**, with Opposer's written consent, and Opposer's withdrawal of the opposition without prejudice, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to change the recitation of services in International Class 38 as follows (additions in bold):

From: Radio broadcasting, Internet Radio broadcasting; in International Class 38.

To: Radio broadcasting, Internet Radio broadcasting; **all the foregoing not relating to sports, sports broadcasting, or a sports team, league, mascot or stadium;** in International Class 38.

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**.¹

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¹ In view thereof, Opposer's stipulated notice (filed February 11, 2015) of the parties' waiver of initial disclosures is **MOOT**.