

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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vw/gcp

Mailed: April 13, 2015

Opposition No. 91209687

Prometheus Global Media LLC

v.

ABC-Clio, LLC

By the Trademark Trial and Appeal Board:

On March 19, 2015, Opposer filed the parties' stipulation comprising Applicant's proposed amendment to its involved application Serial No. 85582882, withdrawal of the opposition without prejudice, and withdrawal of the corresponding counterclaim without prejudice; both withdrawals contingent upon entry of the amendment. By the proposed amendment, Applicant seeks to amend the recitation of services in International Classes 35 and 41.

Amendments to International Classes 35 and 41¹

Applicant seeks to amend the recitation of services as follows:

- *International Class 35*

arranging of subscriptions for the publications of others; computerized on-line retail store services in the field of books, publications, ebooks, interactive

¹ Language that is proposed to be added to the identifications is underlined and shown in bold type font. Additionally, the identification of goods in International Classes 9 and 16 remain unchanged.

digital media, journals, magazines, manuals, periodicals, textbooks, teaching materials, scholarly and professional books, and collections of digital and print resources; gift and sundries retail store services located in hotels; on-line retail store services featuring books, publications, ebooks, interactive digital media, journals, magazines, manuals, periodicals, textbooks, teaching materials, scholarly and professional books, and collections of digital and print resources; promoting, advertising and marketing the on-line databases and electronic publications of others; retail store services featuring books, publications, ebooks, interactive digital media, journals, magazines, manuals, periodicals, textbooks, teaching materials, scholarly and professional books, and collections of digital and print resources; retail store services featuring books, publications, ebooks, interactive digital media, journals, magazines, manuals, periodicals, textbooks, teaching materials, scholarly and professional books, and collections of digital and print resources; provided via wireless communications, **not including entertainment services, awards competitions, and awards programs in the fields of advertising, design, and marketing communications.**

- *International Class 41*

book publishing; digital video, audio, and multimedia publishing services; electronic publishing services, namely, publication of text and graphic works of others on CD, DVD, and on-line display featuring history, modern history, contemporary issues, religion and mythology, humanities, military history, American and world history, religion, military studies, psychology, business, economics, current events, social issues, multiculturalism and diversity, health and wellness, popular culture, international affairs, international security, regional security, and terrorism, government, defense and foreign policy, politics, visual and performing arts, literature, textbooks, bibliographic references for library science, and general interest topics; multimedia publishing of books, magazines, journals, software, games, music, and electronic publications; non-downloadable electronic publications in the nature of books and teaching materials in the field of history, modern history, contemporary issues, religion and mythology, humanities, military history, American and world history, religion, military studies, psychology, business, economics, current events, social issues, multiculturalism and diversity, health and wellness, popular culture, international affairs, international security, regional security, and terrorism, government, defense and foreign policy, politics, visual and performing arts, literature, textbooks, bibliographic references for library science, and general interest topics; online electronic publishing of books and periodicals; providing a website featuring non-downloadable publications in the nature of books, bibliographic reference materials, catalogs, ebooks, interactive digital media, journals, magazines,

manuals, periodicals, textbooks, scholarly and professional books, and collections of digital and print resources featuring a wide variety of topics in the field of history, modern history, contemporary issues, religion and mythology, humanities, military history, American and world history, religion, military studies, psychology, business, economics, current events, social issues, multiculturalism and diversity, health and wellness, popular culture, international affairs, international security, regional security, and terrorism, government, defense and foreign policy, politics, visual and performing arts, literature, textbooks, bibliographic references for library science, and general interest topics; providing a website featuring resources, namely, a website featuring primarily non-downloadable publications in the nature of books, bibliographic reference materials, catalogs, ebooks, interactive digital media, journals, magazines, manuals, periodicals, textbooks, scholarly and professional books, and collections of digital and print resources featuring a wide variety of topics in the field of history, modern history, contemporary issues, religion and mythology, humanities, military history, American and world history, religion, military studies, psychology, business, economics, current events, social issues, multiculturalism and diversity, health and wellness, popular culture, international affairs, international security, regional security, and terrorism, government, defense and foreign policy, politics, visual and performing arts, literature, textbooks, bibliographic references for library science, and general interest topics and also featuring non-downloadable software for CCC; providing a website featuring resources, namely, non-downloadable publications in the nature of books, bibliographic reference materials, catalogs, ebooks, interactive digital media, journals, magazines, manuals, periodicals, textbooks, scholarly and professional books, and collections of digital and print resources featuring a wide variety of topics in the field of History, modern history, contemporary issues, religion and mythology, humanities, military history, American and world history, religion, military studies, psychology, business, economics, current events, social issues, multiculturalism and diversity, health and wellness, popular culture, international affairs, international security, regional security, and terrorism, government, defense and foreign policy, politics, visual and performing arts, literature, textbooks, bibliographic references for library science, and general interest topics; providing on-line publications in the nature of an e-book in the field of history, modern history, contemporary issues, religion and mythology, humanities, military history, American and world history, religion, military studies, psychology, business, economics, current events, social issues, multiculturalism and diversity, health and wellness, popular culture, international affairs, international security, regional security, and terrorism, government, defense and foreign policy, politics, visual and performing arts, literature, textbooks, bibliographic references for library science, and general interest topics; publication and editing of printed matter;

publication of books; publication of electronic magazines; publication of journals; publication of printed matter; publication of text books; publication of texts, books, magazines and other printed matter; publication of books, **not including entertainment services, awards competitions, and awards programs in the fields of advertising, design, and marketing communications.**

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

The contingency in the withdrawals having now been met, the opposition and counterclaim are dismissed **without prejudice.**