

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

AM/coggins

Mailed: November 2, 2015

Opposition No. 91211848

Cleveland Indians Baseball Company
Limited Partnership

v.

Light Tribe Creations N.V.

By the Trademark Trial and Appeal Board:

On October 26, 2015, Opposer filed a stipulation motion to amend subject application Serial No. 79108570, and to contingently withdrawal the opposition without prejudice. By the proposed amendment Applicant seeks to delete the words “sport,” “sporting,” and “sports” from the Class 41 identification, and to add the wording “all the foregoing not relating to baseball or softball or a baseball or softball team, league, mascot or stadium” to the end of the identification for each class, so the resulting identifications would read as follows:

Class 25

Clothing, namely, shirts, pants, jackets, skirts and dresses; footwear, headgear, namely hats and caps; all the foregoing not relating to baseball or softball or a baseball or softball team, league, mascot or stadium;

Class 35

Mediation of advertising and public relations; organizing of trade fairs and exhibitions for commercial purposes; business administration; market

research and -analysis; distribution of advertising materials; business organization consultancy related to electronic commerce and electronic business; creation and development of business concepts and company strategies with regard to company communication and commercial management; drafting expertise reports in the field of market research and studies related to consumer behavior in relation to trademarks and trends; consulting services in the field of the development of commercial business plans for strategies in the field of e-commerce and e-business, as well as drafting of business organization reports in these fields; providing data with regard to sustainable consumer goods for publicity and promotion purposes; distribution of advertisements of third parties via an online electronic network, publicity and sales promotion services; business management; marketing services; conducting public opinion polls; mediation of trade business for third parties; business consulting in regard to usage of electronic retail and on-line databases for business purposes; advertising and commercial information services, via the internet; all the foregoing not relating to baseball or softball or a baseball or softball team, league, mascot or stadium;

Class 38

Providing internet chatrooms, transmitting digital messages, sound and/or images via computers; providing telecommunications connections to the internet or databases; news agency services for electronic transmission; providing access to databases; providing multiple-user access to data on the internet in the field of searchable buying and selling guide for the purpose of localizing, organizing and displaying goods and services of third parties; all the foregoing not relating to baseball or softball or a baseball or softball team, league, mascot or stadium;

Class 41

Information in the field of entertainment, recreation; providing online information for the purpose of leisure and entertainment; publication of magazines, newsletters and periodicals; on-line publication of magazines, newsletters and periodicals; education and training services, namely, providing seminars and classes in the field of wellness, health food, creative expression, eco activities, empowerment, fair trade, alternative energies, and body mind therapies; film and video production; entertainment services, namely, multimedia production services; production of sound and image recordings on sound and image carriers; organizing community and cultural events; entertainment event booking agencies for the purpose of attending cultural, educational events; all the

foregoing not relating to baseball or softball or a baseball or softball 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 to amend is granted. *See* Trademark Rule 2.133(a). The contingency in Opposer's withdrawal having now been met, the opposition is dismissed without prejudice.¹

¹ Opposer's consented motion to extend trial dates, filed October 29, 2015 is moot.