

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

Mailed: December 24, 2014

Opposition No. 91213322

*Pittsburgh Associates*

v.

*True Grit Entertainment, Inc.*

**By the Trademark Trial and Appeal Board:**

On November 4, 2014, Applicant filed a proposed amendment to application Serial No. 85611264, with Opposer's consent, and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment, with Applicant's written consent.

By the proposed amendment Applicant seeks to amend the identification of goods from:

"Athletic apparel, namely, shirts, pants, jackets, footwear, athletic shoes, hats and caps, athletic uniforms and jerseys; apparel, namely, shirts, t-shirts, pants, skirts, blouses, shorts, jeans, sweat shirts, sweaters, caps, hats, bandanas, headbands, wrist bands, stockings, socks, shoes, tennis shoes, sandals, flip-flops, jackets, coats, belts, hoods, gloves, pajamas, dresses, underwear, boxers, bras, tights and yoga wear, namely, yoga shorts and yoga pants; Swim wear, swim suits, bikinis, wraps, beach wear, namely, beach shoes, wet suits; apparel for dancers, namely, leggings, shirts, jackets, pants, sweat shirts, t-shirts, skirts; apparel for cheerleaders, namely, uniforms, shirts, shorts, jackets, pants, sweat shirts, t-shirts; children's clothing, namely, shirts, shorts, jackets, pants, sweat shirts, t-shirts; women's clothing, namely, shirts, shorts, jackets, pants, sweat shirts, t-shirts; and visors and sun visors."

to:

"Athletic apparel, namely, shirts, pants, jackets, footwear, athletic shoes, hats and caps, athletic uniforms and jerseys; apparel, namely, shirts, t-shirts, pants, skirts, blouses, shorts, jeans, sweat shirts, sweaters, caps, hats, bandanas, headbands, wrist bands, stockings, socks, shoes, tennis shoes, sandals, flip-flops, jackets, coats, belts, hoods, gloves, pajamas, dresses, underwear, boxers, bras, tights and yoga wear, namely, yoga shorts and yoga pants; Swim wear, swim suits, bikinis, wraps, beach wear, namely, beach shoes, wet suits; apparel for dancers, namely, leggings, shirts, jackets, pants, sweat shirts, t-shirts, skirts; apparel for cheerleaders, namely, uniforms, shirts, shorts, jackets, pants, sweat shirts, t-shirts; children's clothing, namely, shirts, shorts, jackets, pants, sweat shirts, t-shirts; women's clothing, namely, shirts, shorts, jackets, pants, sweat shirts, t-shirts; and visors and sun visors; **all of the foregoing identifying a basketball or football team and relating to the sports of basketball or football, and not relating to any other sport or sports team, league, mascot or stadium.**"<sup>1</sup>

Inasmuch as the amendment is clearly limiting in nature as required by Trademark Rule 2.71(a), and because Opposer consents thereto, the amendment 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**.<sup>2</sup>

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<sup>1</sup> The bolded language constitutes Applicant's proposed amendment of the identification of goods.

<sup>2</sup> In light of this order, Opposer's consented motion to suspend filed on November 20, 2014 is deemed moot and will be given no further consideration.