

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

gcp/em

Mailed: January 7, 2015

Opposition No. 91215882

Pittsburgh Associates

v.

Timothy Woodson and Martha Ifland

By the Trademark Trial and Appeal Board:

On December 10, 2014, the parties filed a stipulation with Applicants' proposed amendments to their application Serial Nos. 85933879, 85966353, and 85960728, and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendments.

By the proposed amendment Applicants seek to amend the identification of goods in each involved application as follows:¹

Serial No. 85933879

From:

"Bandanas; Caps; Footwear; Gloves; Headwear; Jackets; Novelty headwear with attached wigs; Outer jackets; Pants; Scarves; Shirts; Shorts; Skullies; Socks; Sweat jackets; Sweaters; Swim suits; Swim wear; T-shirts; Tops; Undergarments; Visors; Wearable garments and clothing, namely, shirts."

To:

"Bandanas; Caps; Footwear; Gloves; Headwear; Jackets; Novelty headwear with attached wigs; Outer jackets; Pants; Scarves; Shirts; Shorts; Skullies; Socks; Sweat jackets; Sweaters; Swim suits; Swim wear; T-shirts; Tops; Undergarments; Visors;

¹ The language in bold represents the proposed amended language that has been added to the identifications.

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Wearable garments and clothing, namely, shirts; **all the foregoing relating to pirate ships, pirate themes, and shipyards and not relating to sports or a sports team, league, mascot or stadium.**" in International Class 25

Serial No. 85966353

From:

"Alcoholic beverage produced from a brewed malt base with natural flavors; Alcoholic beverages, namely, ready to drink alcoholic beverages; pre-mixed alcoholic drinks; alcoholic carbonated drinks; alcoholic coolers; and prepared alcoholic cocktails; Distilled Spirits; Liquor; Liquor and liqueur beverages, namely, cordials; cream liqueurs; liqueurs; spirits and liqueurs; herb liqueurs; wines and liqueurs; Prepared cocktails consisting primarily of distilled spirits and also including beer; Rum; Spirits"

To:

"Alcoholic beverage produced from a brewed malt base with natural flavors; Alcoholic beverages, namely, ready to drink alcoholic beverages; pre-mixed alcoholic drinks; alcoholic carbonated drinks; alcoholic coolers; and prepared alcoholic cocktails; Distilled Spirits; Liquor; Liquor and liqueur beverages, namely, cordials; cream liqueurs; liqueurs; spirits and liqueurs; herb liqueurs; wines and liqueurs; Prepared cocktails consisting primarily of distilled spirits and also including beer; Rum; Spirits; **all the foregoing relating to pirate ships, pirate themes, and shipyards and not relating to sports or a sports team, league, mascot or stadium.**" in International Class 33

Serial No. 85960728

From:

"Entertainment services in the nature of an ongoing reality based television program; Entertainment, namely, a continuing reality based show broadcast over television, satellite, audio, and video media."

To:

"Entertainment services in the nature of an ongoing reality based television program; Entertainment, namely, a continuing reality based show broadcast over television, satellite, audio, and video media; **all the foregoing relating to pirate ships, pirate themes, and shipyards and not relating to sports or a sports team, league, mascot or stadium.**" in International Class 41.

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

The contingency in the parties' stipulated withdrawal having now been met; the opposition is dismissed **without prejudice**.²

² In light of this order, the Board's December 3, 2014, default notice is hereby set aside.