

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Am

Mailed: August 16, 2012

Opposition No. 91194067

StubHub, Inc.

v.

SubHub Ltd.

Cheryl S. Goodman, Interlocutory Attorney:

On August 6, 2012, applicant filed a proposed amendment to its application Serial No. 78517252, with opposer's consent.

By the proposed amendment applicant seeks to change the identification of goods as follows:

Class 35

from "Facilitating the exchange of needed information for financial compensation via the Internet for the purpose of allowing the website owner to charge for access to website content by giving the owner the ability to use the subscription payment method"
to "Facilitating the exchange of needed information for financial compensation via the Internet for the purpose of allowing the website owner to charge for access to website content by giving the owner the ability to use the subscription payment method, the aforementioned services excluding setting up an on-line marketplace for sellers and buyers of tickets for sports events, musical concerts and other entertainment events."

Class 42

from "Design, creation, hosting and maintenance of Internet sites to assist third parties in the creation of revenue generating Internet sites by allowing the subscription method of payment"

to

"Design, creation, hosting and maintenance of Internet sites to assist third parties in the creation of revenue generating Internet sites by allowing the subscription method of payment, excluding the creation of an internet site for selling tickets for sporting events, musical concerts and other entertainment events"

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).

If this resolves the dispute herein, opposer is allowed until thirty days from the mailing date of this order to file a withdrawal of the opposition, failing which the opposition will go forward on the application as amended. See Trademark Rule 2.106(c).