

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

VW

Mailed: June 28, 2014

Opposition No. 91211664

Cleveland Indians Baseball Company  
Limited Partnership

v.

Haggar Canada Co., by assignment  
from Tribal Sportswear General  
Partnership

**Elizabeth A. Dunn, Attorney:**

On May 13, 2014, applicant filed a motion to substitute the new owner of Application Serial No. 78564884 as defendant, with opposer's consent.

If the mark in an application or registration which is the subject matter of an *inter partes* proceeding before the Board is assigned, and the assignment is recorded in the Assignment Branch of the USPTO, the assignee may be substituted as a party if the assignment occurred prior to the commencement of the proceeding, or the assignor is no longer in existence, or the plaintiff raises no objection to substitution, or the discovery and testimony periods have closed; otherwise, the assignee will be joined, rather than substituted, to facilitate discovery. *See* TBMP § 512.01.

Inasmuch as the pleaded mark was assigned to Haggar Canada Co. during this proceeding and such assignment was recorded with the

Opposition No. 91211664

Assignment Branch of the Office on January 3, 2014 at Reel/Frame No. 5187/0090, and because opposer consents thereto, Haggar Canada Co. is hereby substituted as party defendant in this proceeding.

Trial dates remain as previously set forth in the Board's May 19, 2014 order.