

ESTTA Tracking number: **ESTTA869320**

Filing date: **01/05/2018**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91228629
Party	Plaintiff Baltimore Orioles Limited Partnership
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Submission	Other Motions/Papers
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Date	01/05/2018
Attachments	OSO Motion to Amend.pdf(206806 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No. 86/622,727
Filed: May 7, 2015
For Mark: O'SO and Design
Published in the Official Gazette: December 29, 2015

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BALTIMORE ORIOLES LIMITED :
PARTNERSHIP, :
 :
Opposer, :
 :
v. :
 :
O'SO BREWING COMPANY, :
Applicant. :
-----X

Opposition No. 91228629

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

**MOTION ON CONSENT TO AMEND APPLICATION AND,
IF ACCEPTED, TO WITHDRAW THE OPPOSITION ON CONSENT**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that the above-captioned application be amended by: (i) adding the bolded language **“not relating to baseball or softball or to a baseball or softball team, league, mascot, event or stadium”** to the end of the description of goods in International Class 32, which should now read:

BEER NOT RELATING TO BASEBALL OR SOFTBALL OR TO A BASEBALL OR SOFTBALL TEAM, LEAGUE, MASCOT, EVENT, OR STADIUM in International Class 32

It is respectfully submitted that this amendment does not require republication as the amendment of the description of goods narrows rather than broadens the scope of the application.

This amendment is made pursuant to an Agreement between Applicant and Opposer, who has consented to the amendment. If the amendment is approved by the Board, Opposer, with Applicant's consent, requests that the opposition be withdrawn without prejudice.

The parties further request that the opposition proceeding be suspended pending disposition of this motion.

CONCLUSION

Applicant respectfully requests that this request to amend the application be granted in its entirety.

Dated: 12/19, 2017

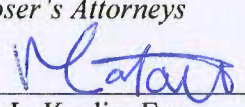
Respectfully submitted,

BLUMENFIELD & SHEREFF, LLP
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CONSENTED TO:

COWAN LIEBOWITZ & LATMAN P.C
Opposer's Attorneys

By: 
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(212)-790-9200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on January 5, 2018, I caused a true and correct copy of the foregoing Motion on Consent to Amend Application and, If Accepted, to Withdraw the Opposition on Consent to be sent via email to Applicant's Attorney and Correspondent of Record, Cobby J Shereff, at shereff@cbcslaw.com, livingston@cbcslaw.com, docket@cbcslaw.com and blumenfield@cbcslaw.com.

Dated: New York, New York
January 5, 2018

/Vanessa Costantini /
Vanessa Costantini