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

Proceeding	91233700
Party	Plaintiff NFL Properties LLC and Houston NFL Holdings, L.P.
Correspondence Address	KRISTIN H ALTOFF MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVE NW WASHINGTON, DC 20004 UNITED STATES trademarks@morganlewis.com, kristin.altoff@morganlewis.com, seth.rappaport@morganlewis.com, jennifer.evans@morganlewis.com, hope.carlisle@morganlewis.com 202-739-5093
Submission	Withdrawal of Opposition
Filer's Name	Kristin H. Altoff
Filer's email	trademarks@morganlewis.com, kristin.altoff@morganlewis.com, seth.rappaport@morganlewis.com, michelle.raynes@morganlewis.com
Signature	/Kristin H. Altoff/
Date	12/24/2019
Attachments	USE ONLY - Motion.pdf(455808 bytes )

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

NFL Properties LLC and Houston NFL Holdings, L.P.

NFL Properties LLC and New York Football Giants, Inc.

NFL Properties and Philadelphia Eagles LLC

NFL Properties LLC and Chicago Bears Football Club,  
Inc.

NFL Properties LLC and New England Patriots LLC

NFL Properties LLC and The Los Angeles Rams, LLC

Arizona Cardinals Football Club LLC and NFL Properties  
LLC

NFL Properties LLC and New York Jets LLC

Opposers,

v.

Joshua F Morell,

Applicant.

Opposition No. 91233700 (parent)  
Opposition No. 91235399  
Opposition No. 91235401  
Opposition No. 91235535  
Opposition No. 91235537  
Opposition No. 91235540  
Opposition No. 91235542  
Opposition No. 91235543

**STIPULATED MOTION TO AMEND  
APPLICATIONS AND TO DISMISS OPPOSITIONS**

Opposers in the above Consolidated Proceedings, Houston NFL Holdings, L.P., New York Football Giants, Inc., Philadelphia Eagles LLC, Chicago Bears Football Club, Inc., New England Patriots LLC, The Los Angeles Rams, LLC, Arizona Cardinals Football Club LLC, New York Jets LLC and NFL Properties LLC (“Opposers”) and Applicant Joshua F Morell (“Applicant”), have resolved the current dispute related to the above-referenced Consolidated Proceedings conditioned upon amendment of Applicant’s applications.

In accordance with 37 C.F.R. § 2.133 and Trademark Trial and Appeal Board Manual of Procedure (“TBMP”) §§ 212.07, 514.01 and 514.02, Applicant, respectfully requests that the Trademark Trial and Appeal Board (the “Board”) amend the following applications to clarify and limit the recitation of goods in Class 25 as follows:

- Application No. 87/134,381 (FOR TEXANS USE ONLY):

*From:* Bikinis; Dresses; Hats; Pants; Scarfs; Shirts; Shoes; Socks; Sweat shirts; Sweaters; Swim suits; Tuxedos; Underwear; Camouflage jackets; Denim jackets; Gym pants; Hiking jackets; Hunting jackets; Hunting pants; Rainproof jackets; Ski pants; Smoking jackets; Snowboard jackets; Snowboard pants; Sports jackets; Sports pants; Sweat jackets; Track jackets; Trekking jackets; Yoga pants

*To:* Bikinis; Dresses; Hats; Pants; Scarfs; Shirts; Shoes; Socks; Sweat shirts; Sweaters; Swim suits; Tuxedos; Underwear; Camouflage jackets; Denim jackets; Gym pants; Hiking jackets; Hunting jackets; Hunting pants; Rainproof jackets; Ski pants; Smoking jackets; Snowboard jackets; Snowboard pants; Sports jackets; Sports pants; Sweat jackets; Track jackets; Trekking jackets; Yoga pants; all of the foregoing not to be used in connection with the NFL and/or any of its member clubs.”

- Application No. 87/204,417 (GIANTS USE ONLY):

*From:* Bikinis; Bow ties; Dress shirts; Dresses; Hats; Lingerie; Pants; Sandals; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Tuxedos; Underwear; Vests; Athletic shirts; Camouflage jackets; Camouflage shirts; Fabric belts; Fishing shirts; Fur jackets; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Knit shirts; Leather jackets; Motorcycle jackets; Night shirts; Polo shirts; Rain jackets; Rainproof jackets; Riding jackets; Safari jackets; Snowboard jackets; Sport shirts; Sports jackets; Sweat shirts; Tee shirts; Track jackets; Wind shirts; Yoga shirts

*To:* Bikinis; Bow ties; Dress shirts; Dresses; Hats; Lingerie; Pants; Sandals; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Tuxedos; Underwear; Vests; Athletic shirts; Camouflage jackets; Camouflage shirts; Fabric belts; Fishing shirts; Fur jackets; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Knit shirts; Leather jackets; Motorcycle jackets; Night shirts; Polo shirts; Rain jackets; Rainproof jackets; Riding jackets; Safari jackets; Snowboard jackets; Sport shirts; Sports jackets; Sweat shirts; Tee shirts; Track jackets; Wind shirts; Yoga shirts; all of the foregoing not to be used in connection with the NFL and/or any of its member clubs.”

- Application No. 87/204,415 (EAGLES USE ONLY):

*From:* Beanies; Bikinis; Bow ties; Dress shirts; Dresses; Hats; Lingerie; Pants; Sandals; Shirts; Shoes; Shorts; Socks; Swim suits; Tuxedos; Underwear; Vests; Athletic shirts; Bomber jackets; Camouflage jackets; Camouflage shirts; Denim jackets; Fabric belts; Fishing shirts; Fur jackets; Golf shirts; Heavy jackets; Hiking jackets; Hunting jackets; Hunting shirts; Leather jackets; Motorcycle jackets; Polo shirts; Rain jackets; Rainproof jackets; Rugby shirts; Safari jackets; Sleep shirts; Sport shirts; Sports jackets; Sweat jackets; Sweat shirts; Tee shirts; Track jackets; Trekking jackets; Yoga shirts

*To:* Beanies; Bikinis; Bow ties; Dress shirts; Dresses; Hats; Lingerie; Pants; Sandals; Shirts; Shoes; Shorts; Socks; Swim suits; Tuxedos; Underwear; Vests; Athletic shirts; Bomber jackets; Camouflage jackets; Camouflage shirts; Denim jackets; Fabric belts; Fishing shirts; Fur jackets; Golf shirts; Heavy jackets; Hiking jackets; Hunting jackets; Hunting shirts; Leather jackets; Motorcycle jackets; Polo shirts; Rain jackets; Rainproof jackets; Rugby shirts; Safari jackets; Sleep shirts; Sport shirts; Sports jackets; Sweat jackets; Sweat shirts; Tee shirts; Track jackets; Trekking jackets; Yoga shirts; all of the foregoing not to be used in connection with the NFL and/or any of its member clubs.”

- Application No. 87/227,546 (FOR BEARS USE ONLY):

*From:* Bikinis; Bow ties; Dress shirts; Dresses; Hats; Pants; Scarfs; Scarves; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Camouflage jackets; Camouflage shirts; Denim jackets; Fabric belts; Fishing shirts; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Motorcycle jackets; Polo shirts; Rain jackets; Rainproof jackets; Safari jackets; Ski jackets; Sleep shirts; Snowboard jackets; Sweat jackets; Sweat shirts; Tee shirts; Yoga shirts

*To:* Bikinis; Bow ties; Dress shirts; Dresses; Hats; Pants; Scarfs; Scarves; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Camouflage jackets; Camouflage shirts; Denim jackets; Fabric belts; Fishing shirts; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Motorcycle jackets; Polo shirts; Rain jackets; Rainproof jackets; Safari jackets; Ski jackets; Sleep shirts; Snowboard jackets; Sweat jackets; Sweat shirts; Tee shirts; Yoga shirts; all of the foregoing not to be used in connection with the NFL and/or any of its member clubs.”

- Application No. 87/228,015 (FOR PATRIOTS USE ONLY):

*From:* Beanies; Bikinis; Dress shirts; Dresses; Gloves; Hats; Lingerie; Pants; Scarfs; Scarves; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Camouflage jackets; Camouflage shirts; Denim jackets; Fishing shirts; Fur jackets; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Motorcycle jackets; Polo shirts; Rain jackets; Ski jackets; Sport shirts; Sports jackets; Sports shirts; Tee shirts; Track jackets; Yoga shirts

*To:* Beanies; Bikinis; Dress shirts; Dresses; Gloves; Hats; Lingerie; Pants; Scarfs; Scarves; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Camouflage jackets; Camouflage shirts; Denim jackets; Fishing shirts; Fur jackets; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Motorcycle jackets; Polo shirts; Rain jackets; Ski jackets; Sport shirts; Sports jackets; Sports shirts; Tee shirts; Track jackets; Yoga shirts; all of the foregoing not to be used in connection with the NFL and/or any of its member clubs.”

- Application No. 87/250,749 (RAMS USE ONLY):

*From:* Bikinis; Bow ties; Dresses; Gloves; Hats; Leggings; Pants; Sandals; Scarves; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Camouflage jackets; Camouflage shirts; Dress shirts; Fabric belts; Fishing shirts; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Leather jackets; Motorcycle jackets; Polo shirts; Rain jackets; Rainproof jackets; Rugby shirts; Safari jackets; Snowboard jackets; Sport shirts; Sports jackets; Sports shirts; Sweat shirts; Tee shirts; Track jackets; Yoga shirts

*To:* Bikinis; Bow ties; Dresses; Gloves; Hats; Leggings; Pants; Sandals; Scarves; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Camouflage jackets; Camouflage shirts; Dress shirts; Fabric belts; Fishing shirts; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Leather jackets; Motorcycle jackets; Polo shirts; Rain jackets; Rainproof jackets; Rugby shirts; Safari jackets; Snowboard jackets; Sport shirts; Sports jackets; Sports shirts; Sweat shirts; Tee shirts; Track jackets; Yoga shirts; all of the foregoing not to be used in connection with the NFL and/or any of its member clubs.”

- Application No. 87/250,061 (CARDINALS USE ONLY):

*From:* Bikinis; Bow ties; Dresses; Hats; Leggings; Pants; Sandals; Scarfs; Scarves; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Bed jackets; Camouflage jackets; Camouflage shirts; Denim jackets; Dress shirts; Fabric belts; Fishing shirts; Fur jackets; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Leather jackets; Motorcycle jackets; Night shirts; Polo shirts; Rain jackets; Safari jackets; Ski jackets; Sports jackets; Sports shirts; Sweat jackets; Sweat shirts; Tee shirts; Track jackets; Trekking jackets; Wind shirts; Yoga shirts

*To:* Bikinis; Bow ties; Dresses; Hats; Leggings; Pants; Sandals; Scarfs; Scarves; Shirts; Shoes; Shorts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Bed jackets; Camouflage jackets; Camouflage shirts; Denim jackets; Dress shirts; Fabric belts; Fishing shirts; Fur jackets; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Leather jackets; Motorcycle jackets; Night shirts; Polo shirts; Rain jackets; Safari jackets; Ski jackets; Sports jackets; Sports shirts; Sweat jackets; Sweat shirts; Tee shirts; Track jackets; Trekking jackets; Wind shirts; Yoga shirts; all of the foregoing not to be used in connection with the NFL and/or any of its member clubs.”

- Application No. 87/259,979 (JETS USE ONLY):

*From:* Beanies; Bikinis; Bow ties; Dress shirts; Dresses; Gloves; Hats; Leggings; Sandals; Scarfs; Scarves; Shirts; Shoes; Shorts; Skirts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Camouflage jackets; Camouflage shirts; Camp shirts; Denim jackets; Fabric belts; Fishing shirts; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Leather jackets; Motorcycle jackets; Polo shirts; Rain jackets; Rainproof jackets; Sport shirts; Sports jackets; Sports shirts; Sweat jackets; Sweat shirts; Tee shirts; Track jackets; Trekking jackets; Wind shirts; Yoga shirts

*To:* Beanies; Bikinis; Bow ties; Dress shirts; Dresses; Gloves; Hats; Leggings; Sandals; Scarfs; Scarves; Shirts; Shoes; Shorts; Skirts; Socks; Suits; Sweaters; Swim suits; Tuxedos; Underwear; Athletic shirts; Camouflage jackets; Camouflage shirts; Camp shirts; Denim jackets; Fabric belts; Fishing shirts; Golf shirts; Hiking jackets; Hunting jackets; Hunting shirts; Leather jackets; Motorcycle jackets; Polo shirts; Rain jackets; Rainproof jackets; Sport shirts; Sports jackets; Sports shirts; Sweat jackets; Sweat shirts; Tee shirts; Track jackets; Trekking jackets; Wind shirts; Yoga shirts; all of the foregoing not to be used in connection with the NFL and/or any of its member clubs.”

The requested amendments clarify or limit the present recitation of goods and, therefore, Applicant believes that the amendments are acceptable under 37 C.F.R. § 2.71(a). In accordance with 37 C.F.R. § 2.133(a), Opposers consent to the amendments.

Based upon acceptance by the Board of Applicant's request to amend the Class 25 recitation of goods in the applications above, Opposers withdraw with prejudice each of the eight oppositions consolidated in the above-identified Consolidated Proceeding No. 91233700 pursuant to 37 C.F.R. §§ 2.106(c) and 2.114(c) and TBMP §§ 601.01 and 601.02. Applicant consents to Opposers' withdrawal of each of the eight oppositions in the Consolidated Proceeding with prejudice. Applicant also knowingly and expressly waives the right to raise the affirmative defenses of *res judicata* (claim preclusion), issue preclusion, or otherwise argue that Opposers' dismissal with prejudice of the Consolidated Opposition Proceeding No. 91233700 was a determination on the merits of claims raised or that could have been raised by Opposers.

Dated: December 24, 2019

Respectfully submitted,

By:



\_\_\_\_\_  
Kristin H. Altoff  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Ave., N.W.  
Washington, D.C. 20004  
Tel: (202) 739-3000  
Fax: (202) 739-3001

Attorneys for Opposers

Dated: \_\_\_\_\_, 2020

Respectfully submitted,

By:

\_\_\_\_\_  
Joshua F. Morell

The requested amendments clarify or limit the present recitation of goods and, therefore, Applicant believes that the amendments are acceptable under 37 C.F.R. § 2.71(a). In accordance with 37 C.F.R. § 2.133(a), Opposers consent to the amendments.

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Dated: \_\_\_\_\_, 2020

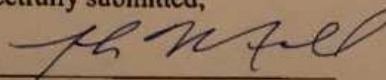
Respectfully submitted,

By: \_\_\_\_\_  
Kristin H. Altoff  
Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Ave., N.W.  
Washington, D.C. 20004  
Tel: (202) 739-3000  
Fax: (202) 739-3001

Attorneys for Opposers

Dated: 12/23/2019, 2020

Respectfully submitted,

By:   
Joshua F. Morell



**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Stipulated Motion to Amend Applications and to Dismiss Oppositions has been sent via email, with consent, this 24th day of December 2019 to:

JOSHUA F MORELL  
315 HERMITAGE ST  
PHILADELPHIA, PA 19128  
UNITED STATES  
[josh.morell@gmail.com](mailto:josh.morell@gmail.com)

/Kristin H. Altoff/