

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
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GMM/RA

January 29, 2019

Opposition No. 91240544

*Rutgers, The State University of New Jersey*

*v.*

*Regent University*

**By the Trademark Trial and Appeal Board:**

On December 13, 2018, Applicant filed a proposed amendment to its application Serial No. 87535660, with the consent of opposer Rutgers, The State University of New Jersey (“Rutgers”), and Rutgers’ withdrawal of the opposition with prejudice, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the identification of services in Class 41 only, by adding the bold wording at end of the identification of services as follows:

From: Entertainment services, namely, providing college level sport exhibition events, competitions, games and recreation programs; educational services, namely, providing courses of instruction in sports, fitness and exercise; providing a website containing news and information relating to sports and recreation events, namely, game schedules, media guides in the nature of sports-related press kits, sports ticket sales, and statistics and other entertainment information

To: Entertainment services, namely, providing college level sport exhibition events, competitions, games and recreation programs; educational services, namely, providing courses of instruction in sports, fitness and exercise; providing a website containing news and information relating to sports and recreation events, namely, game schedules, media guides in the nature of sports-related press kits, sports ticket sales, and statistics and other entertainment information; **none of the foregoing relating to or promoting computer games or video games**

As an initial matter, the Board notes that involved application Serial No. 87535660 also is the subject of Opposition No. 91242702 (“the ’702 Opposition”), in which Take-Two Interactive Software, Inc., (“Take-Two”) opposes registration of the application. The Board further notes that Applicant filed the same amendment in the ’702 Opposition, with Take-Two’s consent. *See* Trademark Rule 2.133(a), TBMP § 514.02 (2018).

Because the proposed amendment is limiting in nature, as required by Trademark Rule 2.71(a), and because Rutgers (the opposer in this case) and Take-Two (the opposer in the ’702 Opposition) both consent to entry of the amendment, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Rutgers’ withdrawal of this opposition having now been met, the opposition is dismissed with prejudice in accordance with the agreement between the parties.