

UNITED STATES PATENT AND TRADEMARK OFFICE
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MCF/tdc

April 16, 2020

Opposition No. 91242691

Rebecca Klemm Charitable Foundation

v.

Team 10 Inc.

By the Trademark Trial and Appeal Board:

On March 24, 2020, Applicant filed a proposed amendment to application Serial No. 87600220, with Opposer's consent, and Opposer's withdrawal without prejudice of the opposition, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the recitation of services by adding “all the foregoing not relating to the field of education and/or the field of mathematics and mathematical concepts” to International Classes 35 and 41, so the resulting services would read as follows:¹

International Class 35:

Advertising, marketing and promotion services; publicity services; promoting the interests of entertainers, social media personalities, and performing artists; management of entertainers, social media personalities, and performing artists; **all the foregoing not relating to the field of education and/or the field of mathematics and mathematical concepts**

¹ Deleted wording is shown with strikethrough and added wording is in bold.

International Class 41:

Entertainment services, namely, arranging and conducting live performances, personal appearances, television performances, and radio performances by entertainers, social media personalities and performing artists, none of the foregoing relating to the field of education; Entertainment services in the nature of arranging, hosting and conducting parties and social entertainment events; Entertainment services in the nature of development, creation, production and post-production services of multimedia entertainment content; Entertainment services, namely, arranging and conducting of sweepstakes and contests; Audio and video recording services; Music production services; Video production services; Production of sound and image recordings; Entertainment services, namely, providing non-downloadable playback of music, as well as videos, and audiovisual content in the fields of entertainment, comedy, popular culture, music and musical entertainment via global communications networks; Entertainment services, namely, providing a website featuring non-downloadable multimedia content in the nature of audio recordings, video recordings and audio-visual content, in the fields of entertainment, comedy, popular culture, music and musical entertainment, none of the foregoing relating to education in the field of mathematics or mathematical concepts; Providing a website featuring entertainment information about entertainers, social media personalities, and performing artists, including photographs, information about performances, records, appearances and biographical information online via a global computer network, none of the foregoing relating to the field of education; providing current events news and entertainment information via a website in the fields of entertainment, social media, comedy, music, celebrity, artistic performance, fashion, art, beauty, make-up, styling, and popular culture; ~~none of the foregoing relating to education in the field of mathematics or mathematical concepts~~ **all the foregoing not relating to the field of education and/or the field of mathematics and mathematical concepts**

The amendment is limiting in nature, as required by Trademark Rule 2.71(a).

Because Opposer consents thereto, the amendment is approved and entered. *See* Trademark Rule 2.133(a).

The contingency in Opposer's withdrawal having now been met, the opposition is dismissed without prejudice.