

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
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mt/jk

July 3, 2019

Opposition No. 91246263

CrossFit, Inc.

v.

Briotix, LP

By the Trademark Trial and Appeal Board:

On June 28, 2019, Applicant filed a proposed amendment to its application Serial No. 87765186, with Opposer's consent, and Opposer's withdrawal of the opposition, contingent upon entry of the amendment.

By the proposed amendment, Applicant seeks to amend the International Class 41 identification of services by adding the underlined wording and deleting the stricken through wording, as follows:

“Education services, namely, providing instructions, classes, and workshops in the field of workplace ergonomics in the nature of physical assessments, ~~group fitness class, group stretch class,~~ and ergonomic obstacle simulation courses; all of the foregoing excluding strength and conditioning instruction, instruction in the field of physical fitness, and group fitness instruction.”

International Class 42 remains unchanged.

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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 with prejudice in accordance with the agreement between the parties.