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Filing date: **05/29/2020**

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

Proceeding	91246568
Party	Plaintiff Baltimore Orioles Limited Partnership
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Submission	Other Motions/Papers
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Signature	/George C. Sciarrino/
Date	05/29/2020
Attachments	DAIRIO -Motion w Certificate of Service - 5-29-20.pdf(105900 bytes)

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

In re Application Serial Nos. 87/863,046 and 87/863,051
Filed: April 4, 2018
For Marks: DAIRIO (Stylized) and O (Stylized)
Published in the Official Gazette: August 28, 2018

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BALTIMORE ORIOLES LIMITED
PARTNERSHIP,
Opposer,
v.
DAIRI-O OF KING, INC.,
Applicant.

Opposition No. 91246568

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

**MOTION ON CONSENT TO AMEND APPLICATIONS AND,
IF ACCEPTED, TO WITHDRAW THE OPPOSITION ON CONSENT AND
MOTION ON CONSENT TO SUSPEND PROCEEDINGS**

Pursuant to Rule 2.133 of the Trademark Rules of Practice, Applicant respectfully requests that the above-captioned applications be amended by adding the bolded language “**not relating to baseball or softball or to a baseball or softball team, a baseball or softball league, a baseball or softball mascot or a baseball or softball stadium**” to the end of the description of services in each application, both of which should now read:

**RESTAURANT SERVICES NOT RELATING TO BASEBALL OR
SOFTBALL OR TO A BASEBALL OR SOFTBALL TEAM, A BASEBALL**

**OR SOFTBALL LEAGUE, A BASEBALL OR SOFTBALL MASCOT OR
A BASEBALL OR SOFTBALL STADIUM in International Class 43**

It is respectfully submitted that these amendments do not require republication as the amendments of the description of services narrow rather than broaden the scope of the applications.

These amendments are made pursuant to an Agreement between Applicant and Opposer, who has consented to these amendments. If the amendments are approved by the Board, Opposer, with Applicant's consent, requests that the consolidated opposition be withdrawn without prejudice.

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

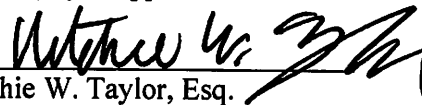
CONCLUSION

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

Dated: May 22, 2020

Respectfully submitted,

MANNING FULTON
Attorneys for Applicant

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CONSENTED TO:

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Attorneys for Opposer

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on May 29, 2020, 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 AND MOTION ON CONSENT TO SUSPEND PROCEEDINGS* to be sent by electronic mail to counsel for Applicant at taylor@manningfulton.com

Dated: New York, New York
May 29, 2020

/George C. Sciarrino /
George C. Sciarrino