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

Proceeding	91226605
Party	Defendant Duke's Brewhouse, Inc.
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

DUKE UNIVERSITY,

Plaintiff,

vs.

Opposition No. 91226605

DUKE'S BREWHOUSE, INC.,

Defendant.

Ser. No. 86/590,454

Mark: DUKE'S BREWHOUSE

Ser. No. 86/590,453

DUKE'S BREWHOUSE WINGS SPORTS
SPIRITS (and design)

**JOINT MOTION TO AMEND ONE SUBJECT APPLICATION, WITHDRAWAL ONE
SUBJECT APPLICATION AND WITHDRAWAL OPPOSITION**

The parties, by and through their undersigned attorneys, hereby jointly move for the following pursuant to Section 600 of the Trademark Trial and Appeal Board Manual of Procedure:

1. On May 4, 2018, the parties reached a settlement in this proceeding.
2. Pursuant to that settlement, and conditioned upon the below requested withdrawal of this proceeding, Defendant Duke's Brewhouse, Inc. agrees to expressly abandon Serial Number 86/590,454.
3. In addition, Defendant requests the Board to amend the services of Serial Number 86/590,453 in the following manner and move the application on to registration:

Class 43: restaurant and bar services, with such services excluding services provided at collegiate sporting events, universities, and medical facilities.

4. Duke University consents to the foregoing abandonment and amendment. In addition, effective upon abandonment of application Serial Number 86/590,454 and entry of the requested amendment in Serial Number 86/590,453, Plaintiff Duke University withdraws this Opposition Proceeding No. 91226605 involving Serial Numbers 86/590,454 and 86/590,453 without prejudice.

Based on the foregoing, the parties jointly and respectfully request that the abandonment and amendment be entered and that Opposition Proceeding No. 91226605 be withdrawn without prejudice and that this proceeding be concluded.

This the 9th day of May 2018.

/s/ Mindi M. Richter

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