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Filing date: **11/09/2015**

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

Proceeding	79104322
Applicant	NOMA AF 2003 ApS
Applied for Mark	NOMA
Correspondence Address	Mary Frances Love Aspire IP 3509 Connecticut Ave., N.W.PMB 130 WASHINGTON, DC 20008 UNITED STATES maryfran@aspireip.com
Submission	Motion to Withdraw Appeal of Refusal to Register
Attachments	2015-11-9 Motion to Withdraw Appeal FINAL.pdf(141650 bytes )
Filer's Name	Mary Frances Love
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Signature	/MARY F LOVE/
Date	11/09/2015

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

In re Application of:	§	
	§	
NOMA AF 2003 ApS	§	
	§	Law Office 110
Serial No.: 79/104322	§	
	§	
Filed: September 21, 2011	§	Trademark Attorney:
	§	Sara N. Benjamin
Mark: NOMA	§	

**MOTION TO WITHDRAW APPEAL**  
**OF REFUSAL TO REGISTER**

Applicant, Noma AF 2003 ApS, through counsel below, hereby withdraws the above-captioned Appeal to the Trademark Trial and Appeal Board.

On September 25, 2015, the Applicant filed a Consent to Register Agreement in connection with the pending application. A copy of the Agreement is attached to this Motion. The Agreement is signed by an officer/representative of Canadian Tire Corporation, Limited (“CTC”). CTC is the owner/registrant of the U.S. Trademark Registration cited against the registration of the subject mark.

In light of the Consent to Register Agreement, the Examining Attorney will approve this application for Publication purposes as soon as the Appeal is dismissed. Accordingly, this Appeal is now moot.

Applicant requests that the Board dismiss the Appeal without prejudice so that the Examining Attorney may proceed with the handling of this matter.

Respectfully submitted,

NOMA AF 2003 ApS

By: Mary F Love

Mary Frances Love

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Telephone: (202)247-7929

*Attorney for Applicant, DC bar member*

Date: November 9, 2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Application of: : Trademark Attorney S. Benjamin  
: Law Office 110  
NOMA AF 2003 ApS :  
Mark: NOMA :  
U.S. Serial No.: 79/104322 :  
Classes. 16, 41, 43 :  
Filed: Sept 21, 2011 :  
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**CONSENT TO REGISTRATION**

Canadian Tire Corporation, Limited ("CTC"), a corporation organized under the laws of Canada, and located at 2180 Yonge Street, Toronto, Ontario, Canada M4P 2V8, is the owner of all right, title and interest in and to United States Trademark Registration No. 1,220,515 issued December 21, 1982 for the trademark NOMA (Stylized) (the "Registration") for goods in Classes 9 and 11 (the "CTC Goods").

CTC hereby consents to the registration by Applicant, NOMA AF 2003 ApS ("NOMA AF") of NOMA (Stylized), the subject of the above-captioned application (the "Application"), for the goods and services identified and recited in that application.

The Examining Attorney citing the Registration under Section 2(d) initially, and partially, refused the NOMA AF Application for the mark NOMA. The parties agree that, in view of the differences in their respective goods and services as described in the Application and Registration, no likelihood of confusion with the Registration will be created by the registration of the Application.

CTC and NOMA AF are in the best position to know their respective marketplaces

and relevant consumers and to avoid any possible confusion.

For these reasons, CTC believes that the parties' respective marks can co-exist on the Principal Trademark Register and consents to the registration of NOMA, Application No. 79/104322.

Canadian Tire Corporation, Limited

Dated: SEPT 21/2015

ANTHONY WOLF  
Name

AUP - PRIVATE LABEL BRANDS  
Title  
Name

\_\_\_\_\_  
Title