

ESTTA Tracking number: **ESTTA756419**

Filing date: **07/05/2016**

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

Proceeding	85571957
Applicant	Larry A. Donoso
Correspondence Address	JOHN W GOLDSCHMIDT JR FERENCE & ASSOCIATES LLC 409 BROAD ST PITTSBURGH, PA 15143 UNITED STATES uspto@ferencelaw.com, jgoldschmidt@ferencelaw.com
Submission	Request to Withdraw Appeal
Attachments	20160705_RequestWithdrawAppeal_SirEyesaacNewtonSaurus_Design.pdf(89210 bytes)
Filer's Name	John W. Goldschmidt, Jr.
Filer's e-mail	uspto@ferencelaw.com,jgoldschmidt@ferencelaw.com
Signature	/John W. Goldschmidt, Jr./
Date	07/05/2016

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

In re Application of:

Larry A. Donoso

Serial No.: 85/571,957

Filed: March 16, 2012

Mark: Design

:
:
:
: **Examining**
: **Attorney:** Dezmona J. Mizelle-Howard
:
:
:
: **Law Office:** 110
:
:
:
:

**REQUEST TO WITHDRAW
EX PARTE APPEAL**

Pursuant to Rule 2.68 of the Trademark Rules of Practice, 37 C.F.R. § 2.68, and Section 1211 of the Trademark Trial and Appeal Board Manual of Procedure, TBMP § 1211, Applicant, Larry A. Donoso, by and through the undersigned counsel, hereby respectfully requests the withdraw, without prejudice, of the Ex Parte Appeal of the above-identified Trademark Application currently pending before the Trademark Trial and Appeal Board.

This Request is made without prejudice and, in accordance with 37 C.F.R. § 2.68 (b) and TBMP § 1211, shall not affect any rights that the Applicant may have in the above-identified mark in any proceeding before the United States Patent and Trademark in the Office. *Id.* Furthermore, Applicant expressly reserves the right to file now, or at any time in the future, an application for federal registration of this or a similar mark on or in connection with the goods and/or services set forth in this Application and/or goods or services of a similar or different nature.

CONCLUSION

WHEREFORE, for the foregoing reasons, Applicant respectfully requests that the Trademark Trial and Appeal Board grant this Request to withdraw, without prejudice, the Appeal now pending in connection with the above-identified Application.

The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment related to this submission to Deposit Account Number 50-5017.

Respectfully submitted,

/John W. Goldschmidt, Jr./

John W. Goldschmidt, Jr.

Registration No: 34,828

FERENCE & ASSOCIATES LLC

409 Broad Street

Pittsburgh, Pennsylvania 15143

Telephone: (412) 741-8400

Facsimile: (412) 741-9292

Date: **July 5, 2016**

Attorneys for Applicant