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02-12-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #58

TRADEMARK  
TL-701611/DJB/DJM

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

In the Matter of Trademark Application of

Applicant: I/O Controls  
Trademark: DINEX  
Serial No.: 75/747768  
Filed: July 12, 1999  
Published in OG: November 14, 2000

DIONEX CORPORATION )  
 )  
 Opposer, )  
 )  
 v. )  
 )  
 I/O CONTROLS CORPORATION )  
 )  
 Applicant. )  
\_\_\_\_\_ )

Opposition No. 121,970

WITHDRAWAL OF NOTICE  
OF OPPOSITION

"EXPRESS MAIL" MAILING LABEL

NUMBER EL609507958US

DATE OF DEPOSIT February 12, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
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TYPED NAME Darryl Keifer

SIGNED [Signature]

BOX TTAB NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202

Handwritten initials: JK

Opposition No. 119,392

**WITHDRAWAL OF NOTICE OF OPPOSITION**

Sir:

Opposer, Dionex Corporation filed this Notice of Opposition on January 12, 2001. Applicant, I/O Controls Corporation, has not yet filed its Answer to the Opposition, pursuant to the STIPULATED EXTENSIONS OF TIME FOR APPLICANT TO ANSWER, filed on its behalf, and the current suspension of this proceeding mailed by this Board on May 22, 2001.

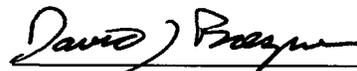
Opposer and Applicant have entered into a Settlement Agreement regarding the mark DINEX. Accordingly Opposer hereby withdraws its Notice of Opposition to registration of the mark of Serial No. 75/747768.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment directly to the account of the undersigned, No. 06-1300 (Order No. TI-70161).

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

Dated: 2/6/02

  
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Opposition No. 119,392

CERTIFICATE OF SERVICE

It is hereby certified that a copy of this WITHDRAWAL OF NOTICE OF OPPOSITION was served by first class mail, postage prepaid, by mailing it to Applicant's counsel at:

Christopher A. Vanderlaan, Esq.  
Irell & Manella LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, CA 90067-4276

on this day of 2 | 12, 2002.



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David J. Brezner  
Attorneys for Opposer