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05-31-2002

U.S. Patent & TMOfo/TM Mail Ropt. Dt. #40

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May 31, 2002

Assistant Commissioner for Trademarks  
**BOX TTAB—NO FEE**  
2900 Crystal Drive  
Arlington, VA 22202-3513

Ref: 17217.28

**EXPRESS MAIL NO. EL515935184US**

Re: *Abandonment of Trademark Application With Opposers' Consent*

**Applicant:** Woodruff-Sawyer & Co.  
**Mark:** EMIT ELECTRONIC SUBMISSION SYSTEM and Design  
**Ser. No.:** 76/063,752

**Opposition No.: 150,502**

Dear Staff:

I am enclosing the above-referenced document in connection with the application and opposition noted. Also enclosed is a return postcard to verify your receipt of this document.

Please route the document for processing, and kindly confirm the abandonment of the application without prejudice and the close of the opposition. Should you have any questions, please do not hesitate to contact us.

Very truly yours,

Pam Rolph  
Intellectual Property Paralegal for Susan G. O'Neill, Esq.

Encls.

cc: B. Brett Heavner, Esq. (w/ encl.)/Finnegan, et al.  
Jacqueline A. Lavine, Esq. (w/ encl.)/Law Office 109  
Susan G. O'Neill, Esq.

TRADEMARK TRIAL AND  
APPEAL BOARD  
02 JUN 14 AM 5:40

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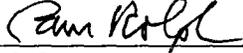
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1 "Express Mail" Mailing Label No. EL515935 184 US. Date of Deposit: May 31<sup>ST</sup>, 2002.  
I hereby certify that this paper or fee is being deposited with the United States Postal Service, "Express Mail—Post Office to  
2 Addressee" service, under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for  
Trademarks, BOX TTAB – NO FEE, 2900 Crystal Dr., Arlington, VA 22202-3513.

3   
4 PAM ROLPH

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

5 **In re Application of:** )  
6 )  
7 **Applicant:** Woodruff Sawyer & Co. ) **Attn.:**  
8 ) **Trademark Law Office: 109**  
9 **Serial No.:** 76/063,752 ) **Attorney: Jacqueline A. Lavine, Esq.**  
10 **Filed:** June 2, 2000 ) **AND**  
11 **Mark:** EMIT ELECTRONIC ) **Trademark Trial and Appeal Board**  
SUBMISSION SYSTEM )  
& Design )

12 **BOX TTAB - NO FEE**  
13 **Assistant Commissioner for Trademarks**  
14 **2900 Crystal Drive**  
**Arlington, VA 22202-3513**

15 **ABANDONMENT OF TRADEMARK APPLICATION**  
16 **WITH OPPOSERS' CONSENT**

17 Sir:

18 Applicant, through its attorneys and pursuant to 37 C.F.R. § 2.68, hereby expressly  
19 abandons Application Serial No. 76/063,752 for the mark EMIT ELECTRONIC SUBMISSION  
20 SYSTEM & Design, which was opposed in Opposition No. 150,502, without prejudice.  
21 Applicant requests that said Application be withdrawn and the opposition terminated.

22 This abandonment is being filed with the written consent of the opposing party.

23 Respectfully submitted,

24 HANSON, BRIDGETT, MARCUS, VLAHOS &  
25 RUDY, LLP

26 Dated: May 31, 2002

27 By:   
28 Susan G. O'Neill, Esq.  
333 Market Street, Suite 2300  
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(415)777-3200  
Attorneys for Applicant Woodruff-Sawyer & Co.

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Opposers IndyMac, Inc. and IndyMac Bank, FSB hereby consent to the express abandonment without prejudice of U.S. Ser. No. 76/063,752 filed by Applicant Woodruff-Sawyer & Co. and further request that the opposition be terminated accordingly.

By *B. Brett Heaven* Date: 5/31, 2002  
(Signature)  
Name: B. Brett Heaven  
Attorneys for Opposers  
Finnegan Henderson Parabow Garrett & Dunner LLP