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Filing date: **12/20/2004**

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

Proceeding	91156123
Party	Defendant Rose Art Industries, Inc. Rose Art Industries, Inc. 6 Regent Street Livingston, NJ 07039
Correspondence Address	Robert W. Smith McCarter & English, LLP Four Gateway Center 100 Mulberry Street Newark, NJ 07101-0652
Submission	Withdrawal Of Appplication
Filer's Name	Robert W. Smith
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Signature	/robertwsmith/
Date	12/20/2004
Attachments	RAINBOW COLOR CASE Express Withdrawal.pdf (2 pages)

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

Applicant : Rose Art Industries, Inc.
Mark : RAINBOW COLOR CASE
Serial No. : 78/133,307
Filing Date : 6/5/02
Opposition No. : 91156123

**EXPRESS WITHDRAWAL OF APPLICATION ON CONSENT
UNDER 37 C.F.R. §2.68**

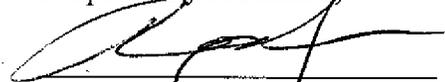
December 20, 2004

BOX TTAB – NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Sirs:

Pursuant to 37 C.F.R. §2.68, Applicant hereby expressly abandons the above-referenced trademark registration application without prejudice. Counsel for the adverse party, The Lisa Frank Company, has given written consent to this withdrawal, and has authorized counsel for Applicant to submit this withdrawal, including Opposer's consent, on behalf of Opposer.

Respectfully submitted,

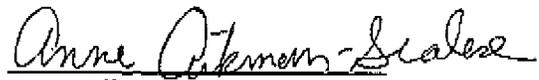


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BOX TTAB - NO FEE
Serial No. 78/133,307
Mark: RAINBOW COLOR CASE
Page 2

CONSENT BY OPPOSER

Counsel for the Opposer, The Lisa Frank Company, hereby consents to the within Express Withdrawal of application Serial No. 78/133,307 without prejudice.



Anne Aikman-Scalèse
General Counsel
The Lisa Frank Company
6760 S. Lisa Frank Avenue
Tucson, AZ 85706

December 20
Date: ~~November~~, 2004