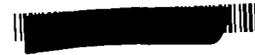


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05-25-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

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

China Mist Tea Company,
Opposer.

vs.

Dr. Pepper / Seven Up, Inc.,
Applicant.

Opposition No. 158,283

Serial No. 78/186,079

JOINT STIPULATION OF THE
PARTIES TO WITHDRAWAL OF
OPPOSITION WITHOUT
PREJUDICE

Opposer, China Mist Tea Company ("Opposer"), and Applicant, Dr. Pepper /
Seven Up, Inc. ("Applicant"), pursuant to Rule 2.106(c) of the Trademark Rules of

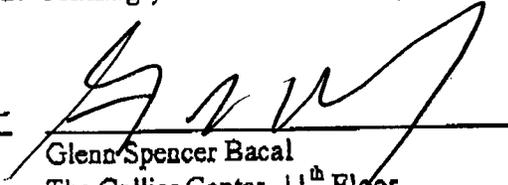
Practice hereby jointly stipulate to the withdrawal of the Opposition without prejudice.

Dated this 24th day of May 2004.

Fross Zelnick Lehrman & Zissu, P.C. Jennings, Strouss & Salmon, P.L.C.



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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.10

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Opposition No.: 158,283

Serial No.: 78/186,079

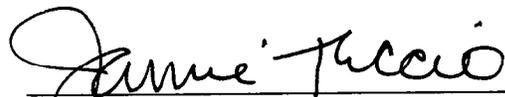
Opposer: China Mist Tea Company

Applicant: Dr. Pepper / Seven Up, Inc.

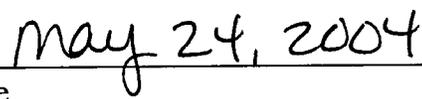
Type of Filing: Joint Stipulation to Dismissal of Opposition Without Prejudice

I hereby certify that this correspondence is being deposited with the United States Postal Service, Express Mail No. EL 999508983 US, under 37 C.F.R. §1.10, addressed to:

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May 24, 2004

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05-25-2004
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Re: **JOINT STIPULATION OF THE PARTIES TO WITHDRAWAL OF OPPOSITION
WITHOUT PREJUDICE**

Dear Sir:

Enclosed is the following:

1. Joint Stipulation of the Parties to Withdrawal of Opposition without Prejudice.

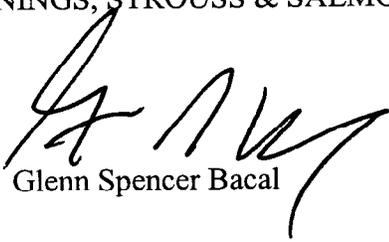
Also, enclosed is a Certificate of Receipt postcard, which identifies the enclosure. Please stamp this postcard "received" and return it to us to provide us with confirmation that you have in fact received the Joint Stipulation package.

If you have any questions regarding the Joint Stipulation, please contact me at the above-referenced address.

Very truly yours,

JENNINGS, STROUSS & SALMON, P.L.C.

By


Glenn Spencer Bacal

GSB/tr
Enclosure