

ESTTA Tracking number: **ESTTA19451**

Filing date: **11/17/2004**

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

Proceeding	91160460
Party	Defendant Stella & Chewy's LLC Stella & Chewy's LLC 59 West 73rd Street, Apartment A New York, NY 10023
Correspondence Address	John R. Wagner Wagner, Davis 99 Madison Avenue, 11th Fl New York, NY 10016
Submission	Withdrawal Of Appplication
Filer's Name	John R. Wagner, Esq.
Filer's e-mail	jrwagner@wagnerdavis.com, amak@wagnerdavis.com
Signature	/jrw-am/
Date	11/17/2004
Attachments	Stella & Chewy's LLC - Express Abandonment.tif (5 pages)

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

FF ACQUISITION, L.L.C.,

Opposer,

- against -

STELLA & CHEWY'S LLC,

Applicant.

Opposition No.: 91160460

Mark: FARM FRESH

Serial No.: 78/222,155

Filing Date: March 5, 2003

Publication Date: November 4, 2003

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Commissioner:

In connection with the captioned matter, I am transmitting to you herewith the following documents:

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited with the United States Postal Service with sufficient postage as First-Class Mail in an envelope addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on this 17th day of November, 2004.

- Self-addressed stamped return postcard;
- Transmittal Letter in duplicate containing Certificate Under 37 CFR 1.8; and
- Express Abandonment of Application Subject to Opposition (original and two [2] copies).

By: _____

John R. Wagner



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WAGNER DAVIS P.C.

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MAILED FROM NEW YORK, NY 10016

PB8615952

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COUNSELLORS AT LAW
99 MADISON AVENUE, 11TH FLOOR
NEW YORK, NY 10016

TO:

WAGNER DAVIS P.C.

99 Madison Avenue
New York, New York 10016

Attention: John R. Wagner, Esq.

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Dear Commissioner:

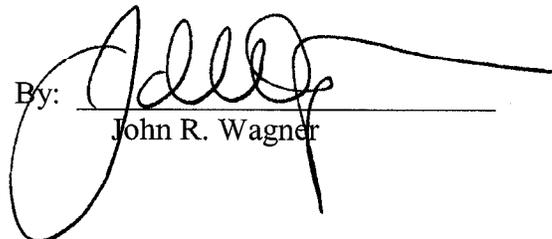
In connection with the captioned matter, I am transmitting to you herewith the following documents:

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By: _____

John R. Wagner



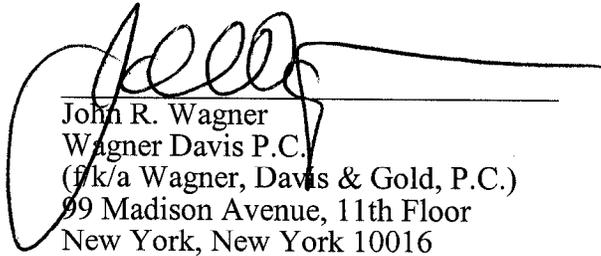
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

FF, Acquisition, L.L.C)	Opposition No. 91160460
)	
Opposer,)	Mark: FARM FRESH
)	
v.)	Serial No. 78/222,155
)	
Stella & Chewy's LLC)	Filing Date: March 5, 2003
)	
Applicant.)	Publication Date: November 4, 2003

EXPRESS ABANDONMENT OF APPLICATION SUBJECT TO OPPOSITION

COMES NOW APPLICANT, Stella & Chewy's LLC seeking to Expressly Abandon
Application Serial No. 78/222,155 for the mark FARM FRESH.

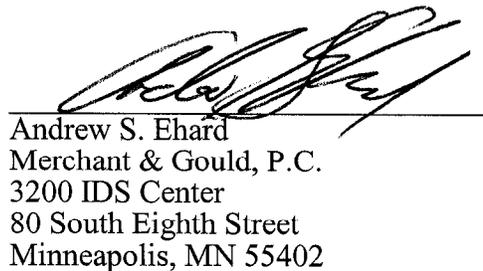
Date 11/15/04



John R. Wagner
Wagner Davis P.C.
(f/k/a Wagner, Davis & Gold, P.C.)
99 Madison Avenue, 11th Floor
New York, New York 10016

Counsel for FF Acquisitions, L.L.C. hereby consents to the Express Abandonment by
Stella & Chewy's LLC of Application Serial No. 78/222,155 for the mark FARM FRESH.

Date 11-16-04



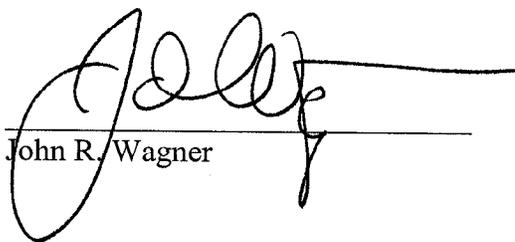
Andrew S. Ehard
Merchant & Gould, P.C.
3200 IDS Center
80 South Eighth Street
Minneapolis, MN 55402

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing EXPRESS ABANDONMENT OF APPLICATION SUBJECT TO OPPOSITION regarding Opposition No. 91160460 was served upon the following attorneys of record for Opponent by First-Class Mail, postage prepaid, this 17th day of November, 2004:

Andrew S. Ehard, Esq.
Merchant & Gould P.C.
P.O. Box 2910
Minneapolis, Minnesota 55402-9944

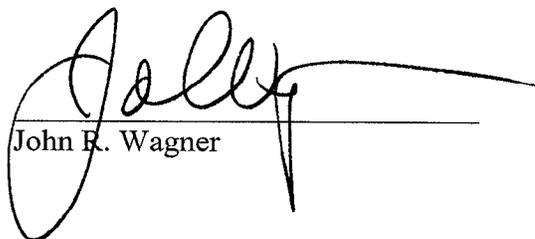
Scott W. Johnston, Esq.
Merchant & Gould P.C.
P.O. Box 2910
Minneapolis, Minnesota 55402-9944



John R. Wagner

CERTIFICATE OF MAILING

The undersigned hereby certifies that the foregoing EXPRESS ABANDONMENT OF APPLICATION SUBJECT TO OPPOSITION regarding Opposition No. 91160460, is being deposited with the United States Postal Service with sufficient postage as First-Class Mail, in an envelope addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514 on this 17th day of November, 2004.



John R. Wagner