

ESTTA Tracking number: **ESTTA100458**

Filing date: **09/21/2006**

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

Proceeding	91161466
Party	Plaintiff Phat Fashions LLC Phat Fashions LLC ,
Correspondence Address	Michael Maoz Pryor Cashman Sherman & Flynn LLP 410 Park Avenue New York, NY 10022-4441
Submission	Other Motions/Papers
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Date	09/21/2006
Attachments	Not_Dismissal_PHAT_MUSCLE.pdf (2 pages)(31375 bytes)

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I, Moira Shine, hereby certify that a true and correct copy of the CONSENTED NOTICE OF DISMISSAL is being served via FedEx this 21st day of September, 2006, and addressed to the counsel of record for Applicant at the address set forth below:

Richard S. Vermut
Rogers Towers, P.A.
1301 Riverplace Boulevard
Suite 1500
Jacksonville, Florida 32207

Signed: Moira Shine

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

In the Matter of Trademark Application
Serial No. 76/498,101
for the mark PHATMUSCLE

-----X
PHAT FASHIONS LLC, :
 :
 :
 Opposer, :
 :
 :
 -against- :
 :
 LOPEZ, GABRIEL R., :
 :
 :
 Applicant. :
-----X

Opposition No. 91161466

CONSENTED NOTICE OF DISMISSAL

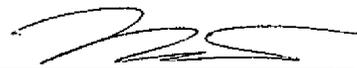
PLEASE TAKE NOTICE that pursuant to Rule 601.01 of the Trademark Trial and Appeal Board Manual of Procedure, Opposer Phat Fashions LLC and Applicant Gabriel R. Lopez dismiss the instant opposition proceedings with prejudice.

**PRYOR CASHMAN SHERMAN
& FLYNN LLP**

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Dated: September 21, 2006

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