

TTAB

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May 2, 2005

Director of the U.S. Patent & Trademark Office
Trademark Trial & Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Serial No. 78-313, 196

Dear Sir or Madam:

Enclosed please find for filing on behalf of the North Carolina Automobile Dealers Association, Incorporated a Notice of Withdrawal of Opposition in the matter of trademark application Serial No. 78-313, 196 for the mark "We'll Buy Your Car Even If You Don't Buy Ours" published in the Official Gazette on August 10, 2004.

Please return a filed copy to me in the enclosed self-addressed, stamped envelope. Do not hesitate to contact me should you have questions.

Sincerely,

JOHNSON, HEARN, VINEGAR,
GEE & MERCER, PLLC



Shawn D. Mercer

SDM/bb

Enclosures

cc: Craig L. Mytelka, Esq.
Andrew G. Howell, Esq.
William R. Poynter, Esq.
North Carolina Automobile Dealers Association, Incorporated



05-13-2005

U.S. Patent & TMO/TM Mail Rcpt Dt. #74

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

NORTH CAROLINA AUTOMOBILE)
DEALERS ASSOCIATION, INC.,)
)
Opposer,)
)
v.)
)
CARMAX AUTO SUPERSTORES)
WEST COAST, INC.,)
)
Applicant.)

Opposition No. 91162527

Serial No.: 78/313196
Mark: WE'LL BUY YOUR CAR EVEN IF YOU DON'T BUY OURS!
Goods & Services: Retail store services featuring automobiles and trucks.
Class: 35
Filed: October 14, 2003
Published for Opposition: August 10, 2004

NOTICE OF WITHDRAWAL OF OPPOSITION

NOW COMES Opposer North Carolina Automobile Dealers Association, Inc. ("Opposer" or "NCADA") by and through counsel, pursuant to 37 C.F.R. § 2.106(c) and Rule 41 of the Federal Rules of Civil Procedure, and hereby gives formal notice of its withdrawal of its opposition filed in the above-referenced proceeding with prejudice.

Respectfully submitted,

NORTH CAROLINA AUTOMOBILE
DEALERS ASSOCIATION, INC.

By: 

Dated: May 2nd F, 2005.

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of May, 2005, a true copy of the foregoing NOTICE OF WITHDRAWAL OF OPPOSITION was mailed via first-class mail to Craig L. Mytelka, Esq., Andrew G. Howell, Esq., William R. Poynter, Esq., WILLIAMS MULLEN, A Professional Corporation, 222 Central Park Avenue, Suite 1700, Virginia Beach, Virginia 23462, Attorneys for Applicant.



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