

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

DOCTOR WATERHEATER INC., : Application Serial No. 78/319,045
: Opposition No. 91162799
Opposer, :
v. :
Anthony J. Intile, Jr. :
: :
Applicant. :
:

CERTIFICATE OF MAILING UNDER 37 C.F.R. §2.197

I hereby certify that this Correspondence is being deposited on 11 Aug 05 with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER FOR TRADEMARKS, P.O. Box 1451, Alexandria, Virginia 22313-1451.

11 August 05

Date of Certificate

Vincent T. Poer

STIPULATION OF WITHDRAWAL

The parties in the above-captioned Opposition have entered into a Settlement Agreement relative to the mark DOCTOR WATER HEATER. In accordance with the terms of the Settlement Agreement, Opposer, Doctor Waterheater Inc., has agreed to withdraw the opposition and Applicant, Anthony J. Intile, Jr. has agreed that the withdrawal can be made without prejudice. Accordingly, Opposer hereby withdraws its opposition to registration of the Applicant's mark and Applicant hereby consents to the withdrawal without prejudice.



Respectfully submitted,

08-15-2005

Vincent T. Pace

Vincent T. Pace
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **STIPULATION OF WITHDRAWAL** was served on the attorney for Applicant, this 11th day of August, 2005, by sending same, via first class mail, postage prepaid, to:

Gerald E. Hespos, Esq.
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Vincent T. Pace