

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

MAG INSTRUMENT, INC.,

Opposer,

v.

TUBELITE, INC.,

Applicant.

Opposition No. 91,163,399

Application Serial No. 76/286,865

T-MAG



08-16-2005

U.S. Patent & TMO/TM Mail Rpt Dt: #11

**MAG INSTRUMENT, INC.'S WITHDRAWAL OF OPPOSITION WITH CONSENT**

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

Sir:

Notice is hereby given that settlement has been reached between the parties in this matter and that Mag Instrument, Inc. hereby withdraws the above-captioned opposition, with prejudice.

Respectfully submitted,

JONES DAY

Dated: August 10, 2005

By:

Charles A. Kertell  
Reg. No. 41,891  
Attorney for Opposer  
MAG INSTRUMENT, INC.

**CERTIFICATE OF MAILING**

I hereby certify that this document, entitled Mag Instrument, Inc.'s Withdrawal of Opposition with Consent, is being deposited with the United States Postal Service on this date in an envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Dated: August 10, 2005

By:

Trisha Dolman

**CONSENT**

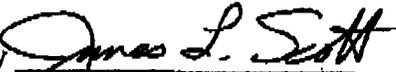
Applicant, Tubelite, Inc., through its undersigned counsel of record, hereby consents to  
Mag Instrument, Inc.'s withdrawal of Opposition No. 91,163,399.

Respectfully submitted,

WARNER NORCROSS & JUDD LLP

Dated: August 8, 2005

By



James L. Scott  
Attorney for Applicant  
TUBELITE, INC.

1149093