

ESTTA Tracking number: **ESTTA96840**

Filing date: **08/29/2006**

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

Proceeding	91167562
Party	Plaintiff NBA PROPERTIES, INC.
Correspondence Address	ANIL V. GEORGE NBA PROPERTIES, INC. OLYMPIC TOWER- 645 FIFTH AVENUE NEW YORK, NY 10022
Submission	Withdrawal of Opposition
Filer's Name	Anil V. George
Filer's e-mail	ipgroup@nba.com
Signature	/Anil V. George/
Date	08/29/2006
Attachments	Cleveland Pipers.pdf (3 pages)(44137 bytes)

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

In re Application of The John McLendon Minority Scholarship Foundation

Serial No.: 78/432,706

Mark: CLEVELAND PIPERS

Filed: June 9, 2004

-----X
NBA Properties, Inc... :
Petitioner :
 : Opposition No. 91167562
v. :
 :
The John McLendon Minority Scholarship :
Foundation :
Applicant :
-----X

United States Patent and Trademark Office
Madison Building
600 Dulany Street, 9th Floor
West Wing
Alexandria, VA 22313

NOTICE UNDER RULE 2.106(c) to
WITHDRAW OPPOSITION WITHOUT PREJUDICE

Petitioner, NBA Properties, Inc. withdraws its opposition without prejudice in connection with the identified trademark application, pursuant to Trademark Rule 2.106(c).

Applicant has not filed an answer in the identified opposition proceeding. Therefore, petitioner is entitled to withdraw the opposition without prejudice, pursuant to 37 C.F.R. § 2.106(c).

August 29, 2006

Respectfully Submitted,

NBA PROPERTIES, INC.

By: 

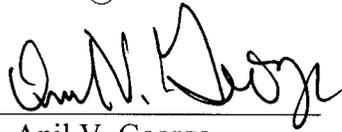
Anil V. George
Attorney for Opposer

NBA PROPERTIES, INC.
Olympic Tower
645 Fifth Avenue
New York, New York 10022
(212) 407-8000

CERTIFICATE OF SERVICE

I, Anil V. George, hereby certify that I have this 7th day of August 2006, mailed by electronic mail and first-class United States Mail, postage prepaid, the foregoing NOTICE OF WITHDRAWAL OF OPPOSITION to the following:

Matthew E. Senra, Esq.
Cavitch Familo Durkin & Frutkin
Fourteenth Floor
1717 East Ninth Street
Cleveland, OH 44114-2876
msenra@cdf.com

A handwritten signature in black ink, appearing to read "Anil V. George", written over a horizontal line.

Anil V. George