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

Ashland Licensing and Intellectual Property LLC

Opposition 91167666

Plaintiff

Serial No. 78401852

v.

Valero Refining and Marketing Company

Applicant

WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE

Plaintiff, Ashland Licensing and Intellectual Property LLC, hereby requests that Opposition 91167666 filed against Applicant, Valero Refining and Marketing Company, be withdrawn without prejudice, as agreed to by both parties.



J. Michael Peffer, Vice President & Assistant Secretary
Ashland Licensing and Intellectual Property LLC
3499 Blazer Parkway
Lexington, Kentucky 40509
(859) 357-7405
pafredrick@ashland.com

paf



10-06-2006

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #72

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Opposer's Withdrawal of Opposition in Opposition Proceeding No. 91167666, was served upon Steve Meleen, Attorney for Valero Refining and Marketing Company, at PirkeyBarber LLP, 600 Congress Avenue, Suite 2120, Austin, Texas 78701 by Overnight Courier on the 6th day of October, 2006.

Respectfully submitted,



J. Michael Peffer
Vice President and Assistant Secretary
Ashland Licensing and Intellectual Property LLC

pef

August 21, 2006

RECEIVED

AUG 25 2006

JGH

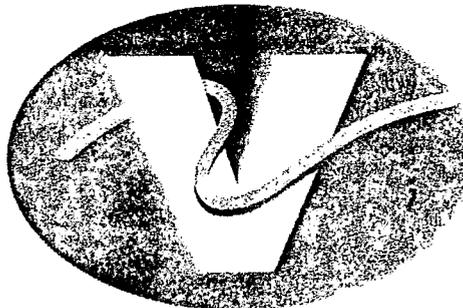
John G Haraldson, Esq.
Ashland Inc.
3499 Blazer Parkway
Lexington, Kentucky 40509
JGHaraldson@ashland.com

Re: Ashland Licensing and Intellectual Property LLC v. Valero Refining and Marketing Company; Opposition No. 91167666 regarding Application Serial No. 78401852
Matter No. VLRO:013

Dear John:

Pursuant to our discussions and email exchanges, this letter agreement “(Agreement)” will set forth the terms of agreement between your client Ashland Licensing and Intellectual Property LLC, which is a subsidiary of Ashland Inc. (collectively, “Ashland”) and our client Valero Refining and Marketing Company, which is a subsidiary of Valero Energy Corporation (collectively “Valero”), regarding Ashland’s objection to Valero’s V & Design mark that is the subject of USPTO Application Serial No. 78401852, including Opposition No. 91167666. Ashland and Valero have agreed to compromise and settle their claims against each other relating to Valero’s use and registration of Valero’s V & Design mark pursuant to this Agreement. The parties acknowledge that such terms represent good and sufficient consideration for this Agreement.

Valero uses its V & Design mark in the colors teal, yellow, and white. Some such uses involve a teal “V” with a yellow “gesture” design against a white background, as shown in Application Serial No. 78401852. In other instances, Valero presents the “V” in white, with the yellow gesture, against a teal background, as shown immediately below.



Ashland agrees that it will promptly file a consented withdrawal of Opposition No. 91167666 without prejudice. Valero hereby consents to such withdrawal. Ashland further agrees that it will not object to Valero’s continued use of Valero’s V & Design mark in connection with

John G. Haraldson, Esq.

August 21, 2006

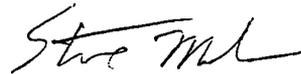
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gasoline stations. The parties acknowledge that this Agreement does not affect either party's rights or obligations regarding any other use that Valero may make of its V & Design mark.

This Agreement is binding upon and shall benefit each party hereto, including its respective agents, successors, and assigns. The parties agree to execute such documents and take such actions as may be necessary to effectuate and to fully carry out the terms and purposes of this Agreement. Each party represents that the person executing this Agreement on its behalf has been authorized to sign on behalf of the party and to bind it to the terms of this Agreement.

My signature below indicates Valero's agreement to these terms. If it meets with your client's approval as well, please sign and return it to me.

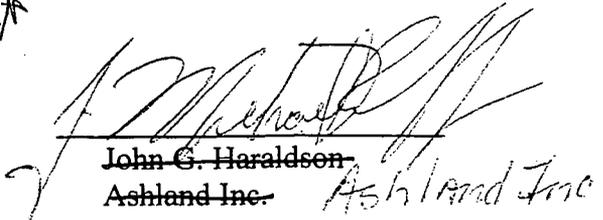
Very truly yours,



Steve Meleen
Attorney for Valero Refining
and Marketing Company

Agreed

2/8/06



~~John G. Haraldson~~
~~Ashland Inc.~~ *Ashland Inc.*

J. Michael Peffer
Ashland Licensing and Intellectual
Property LLC