

ESTTA Tracking number: **ESTTA162629**

Filing date: **09/13/2007**

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

Proceeding	91174828
Party	Defendant JULIANNE TOZER and JASON TOZER
Correspondence Address	SUSAN BARRICELLA RUTAN & TUCKER, LLP 611 ANTON BLVD., STE 1400 COSTA MESA, CA 92626-1931 UNITED STATES sbarricella@rutan.com,sgibbons@rutan.com
Submission	Other Motions/Papers
Filer's Name	Susan J. Barricella
Filer's e-mail	sgibbons@rutan.com,sbarricella@rutan.com,agardiner@fchs.com
Signature	/Susan J. Barricella/
Date	09/13/2007
Attachments	Opposers Withdrawal of Opposition Without Prejudice.PDF (2 pages)(24189 bytes)

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

-----X
PADDINGTON & CO. LTD.,
Opposer,
v.
JULIANNE TOZER,
Applicant.
-----X

Opposition No. 91/174,828

OPPOSER'S WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE

In accordance with the provisions of 37 C.F.R. § 2.106(c) and T.B.M.P. § 601.01, Opposer, by its attorneys, hereby withdraws, without prejudice, its Opposition No. 91/174,828 to registration of the mark in Application Serial No. 78/707,158.

This withdrawal is filed pursuant to a settlement agreement signed by the parties effective September 12, 2007. Applicant, by its attorneys, hereby consents to the withdrawal without prejudice.

Respectfully submitted,

Date: September 13, 2007

FITZPATRICK, CELLA, HARPER
& SCINTO

By: 

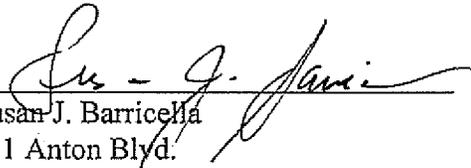
Pasquale A. Razzano
Aimee Nassau Gardiner
30 Rockefeller Plaza
New York, New York 10112
(212) 218-2100

Attorneys for Opposer

Date: September 13, 2007

Paddington & Co. Ltd.

RUTAN & TUCKER, LLP

By: 

Susan J. Barricella
611 Anton Blvd.
Suite 1400
Costa Mesa, CA 92626

Attorneys for Applicant
Julianne Tozer