

ESTTA Tracking number: **ESTTA165674**

Filing date: **09/28/2007**

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

Proceeding	91178533
Party	Defendant Etablissements Nicolas
Correspondence Address	JAMES E. ROSINI, ESQ. KENYON & KENYON 1 BROADWAY NEW YORK, NY 10004-1007  tmdocket@kenyon.com, mkelly@kenyon.com, jrosini@kenyon.com
Submission	Withdrawal Of Application
Filer's Name	Michael Kelly
Filer's e-mail	tmdocket@kenyon.com, mkelly@kenyon.com, jrosini@kenyon.com
Signature	/mk/
Date	09/28/2007
Attachments	NICOLAS Abandonment.pdf ( 1 page )(14145 bytes )

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

APPLICANT : ETABLISSEMENTS NICOLAS  
SERIAL NO. : 78/779,556  
FILED : December 22, 2005  
CLASS NO. : 33  
MARK : NICOLAS and Design  
OPPOSITION NO. : 91/178,533

**NOTICE OF EXPRESS ABANDONMENT**

Pursuant to 37 C.F.R. §§ 2.68 and 2.135, Applicant, by its undersigned attorney, hereby expressly abandons the above-identified application. Applicant respectfully requests that the above referenced Opposition be terminated.

Respectfully submitted,  
KENYON & KENYON LLP

Dated: September 28, 2007

By: s/ Michael Kelly  
James E. Rosini  
Michael Kelly  
One Broadway  
New York, New York 10004  
Phone: (212) 425-7200  
Fax: (212) 425-5288

Attorneys for Etablissements Nicolas