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Filing date: **06/04/2008**

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

Proceeding	91181170
Party	Plaintiff Johnny Rockets Licensing Corporation
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Submission	Withdrawal of Opposition
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Date	06/04/2008
Attachments	Document.pdf (2 pages)(319119 bytes)

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

In the matter of U.S. Trademark Application Serial No.: 77/035,298
For the mark: JOHNNY'S LUNCH JOHNNY'S HOTS, BURGERS AND SHAKES
SINCE 1936 & Design
Published in the Official Gazette: June 12, 2007

JOHNNY ROCKETS LICENSING)	
CORP., a California corporation)	
)	
Opposer)	Opposition No. 91181170
)	
v.)	
)	
JOHNNY'S LUNCH FRANCHISE, LCC.,)	
an Ohio limited liability company)	
)	
Applicant)	

MOTION TO DISMISS WITH PREJUDICE

Opposer, Johnny Rockets Licensing Corp. and Applicant, Johnny's Lunch Franchise, LLC, having agreed to conduct their business in such a way as to avoid the likelihood of consumer confusion by their respective trademarks and service marks in accordance with the terms and conditions of an agreement between the parties dated May 22, 2008, have settled the dispute between them. Accordingly, Opposer hereby requests that the Trademark Trial and Appeal Board dismiss the above-captioned opposition proceeding with prejudice.

Respectfully submitted this 4th day of June, 2008.

AKERMAN SENTERFITT

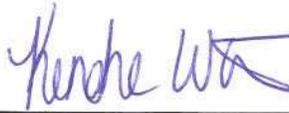


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and complete copy of the foregoing the MOTION TO DISMISS WITH PREJUDICE has been served by mailing said true and complete copy on the 4th of June 2008, via First Class Mail, postage prepaid to:

Mark C. Terzola, Esq.
Roetzel & Andress
222 South Main Street
Akron, OH 44308



Kendra Waterman