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

Proceeding	91182514
Party	Defendant DA VINCI CENTER, L.L.C.
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Submission	Withdrawal Of Application
Filer's Name	Paul L. Kobak
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Signature	/Paul L. Kobak/
Date	04/10/2009
Attachments	Notice of Withdrawal Serial No 78710291 (opp no 91182514) (00000162).PDF ( 2 pages )(17076 bytes )

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

In the Matter of Application Serial No. 78/710,291  
Published in the Official Gazette of December 18, 2007

INTUITIVE SURGICAL, INC.	)	
	)	Opposition No.: 91182514
Opposer,	)	
	)	Trademark: DA VINCI CENTER
v.	)	& DESIGN
	)	
DA VINCI CENTER, L.L.C.,	)	Filed: September 9, 2005
	)	
Applicant.	)	
_____	)	

**APPLICANT’S NOTICE OF VOLUNTARY  
WITHDRAWAL OF APPLICATION SERIAL NO. 78710291**

Applicant, Da Vinci Center, L.L.C., (“Da Vinci Center”), by and through its attorneys and pursuant to TBMP § 602.01 and 37 CFR §§ 2.68 and 2.135, hereby withdraws its Application Serial No. 78710291, which is the subject of the instant opposition proceeding brought by Opposer, Intuitive Surgical, Inc. (“Opposer”), and states as follows:

1. Applicant hereby voluntarily withdraws, without the consent of Opposer, Application Serial No. 78710291 for the mark DA VINCI CENTER & DESIGN.
2. “Express abandonment (withdrawal) of application. An application may be expressly abandoned by filing in the Patent and Trademark Office a written statement of abandonment or withdrawal of the application signed by the applicant, or the attorney or other person representing the applicant.” 37 CFR § 2.68.
3. Pursuant to TBPM § 602.01, because this is an opposed application, this notice of withdrawal is being filed with the Board, bearing at the top of its first page both the application serial number, and the opposition number and title.

4. This notice of withdrawal is being served upon every other party to the opposition proceeding. TBPM § 602.01.

Dated: April 10, 2009.

Respectfully submitted,

**PERETZ CHESAL & HERRMANN, PL**

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 10, 2009, a copy of the foregoing was served via U.S. Mail and to Michelle D. Kahn and Michelle Hirth, Sheppard, Mullin, Richter, & Hampton, LLP, 4 Embarcadero Center, 17<sup>th</sup> Floor, San Francisco, CA, 94111-4109.

By: /Paul L. Kobak/  
Paul L. Kobak