

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

tlc

Mailed: May 3, 2010

Opposition No. 91187033

David C McGowan

v.

Key Curriculum Press, Inc.

Opposer, without the written consent of applicant, filed a withdrawal of the opposition on April 15, 2010.¹

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice.

***By the Trademark Trial
and Appeal Board***

¹ Opposer's withdrawal filed April 15, 2010 fails to indicate proof of service on applicant, as required by Trademark Rule 2.119. In order to expedite this matter, a copy of the withdrawal is forwarded herewith to applicant's counsel. Notwithstanding, strict compliance with Trademark Rule 2.119 is required by the parties in all future papers filed with the Board.