

ESTTA Tracking number: **ESTTA434495**

Filing date: **10/07/2011**

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

Proceeding	91189023
Party	Plaintiff Whataburger Partnership
Correspondence Address	WILLIAM G BARBER PIRKEY BARBER LLP 600 CONGRESS AVE SUITE 2120 AUSTIN, TX 78701 UNITED STATES bbarber@pirkeybarber.com, wlarson@pirkeybarber.com, eolson@pirkeybarber.com, tmcentral@pirkeybarber.com
Submission	Other Motions/Papers
Filer's Name	Jeff A. McDaniel
Filer's e-mail	jmcdaniel@dmtechlaw.com, hsimpson@dmtechlaw.com
Signature	/jeffamcdaniel/
Date	10/07/2011
Attachments	Withdrawal of Petition for Cancellation.pdf ( 2 pages )(45366 bytes )

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

WHATABURGERPARTNERSHIP,

Opposer,

v.

SARKIS AVAKIAN,

Applicant.

§  
§  
§  
§  
§  
§  
§  
§

Opposition No. 91189023

**WITHDRAWAL OF PETITION FOR CANCELLATION**

Opposer, Whataburger Partnership, moves to withdraw its Petition for Cancellation of the subject mark pursuant to TBMP 605.03(a). Applicant Sarkis Avakian consents to the withdrawal.

Respectfully submitted,

By:

  
\_\_\_\_\_  
William G. Barber  
Wendy C. Larson  
PIRKEY BARBER LLP  
600 Congress Avenue, Suite 2120  
Austin, Texas 78701  
Telephone: (512) 322-5200  
Telecopier: (512) 322-3201

Jeff A. McDaniel  
Kirby Cronin  
DAFFER MCDANIEL, LLP  
700 Lavaca Street, Suite 720  
Austin, Texas 78701  
Telephone: (512) 476-1400  
Telecopier: (512) 703-1250

ATTORNEYS FOR OPPOSER

