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Filing date: **12/03/2009**

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

Proceeding	91189518
Party	Plaintiff Margaritaville Enterprises, LLC
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Submission	Withdrawal of Opposition
Filer's Name	Joel R. Feldman, GA bar member
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Date	12/03/2009
Attachments	MARGARITAVILLE v. MALAMAS and SCHARLAT - Stip Abandonment and Withdrawal of Oppo.pdf (2 pages)(12303 bytes)

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

_____)	
MARGARITAVILLE)	
ENTERPRISES, LLC)	
)	Opposition No. 91189518
Opposer,)	
)	
v.)	
)	Serial No.: 77/405,271
GEORGE MALAMAS and)	
MICHAEL SCHARLAT,)	Filed: February 25, 2008
)	Published: December 2, 2008
Applicants.)	
_____)	

FILED VIA ESTTA

**STIPULATED ABANDONMENT OF APPLICATION
AND WITHDRAWAL OF OPPOSITION**

Opposer, Margaritaville Enterprises, LLC, and Applicants, George Malamas and Michael Scharlat, by and through their attorneys, hereby stipulate and agree as follows:

1. Applicants, with the consent of Opposer, hereby expressly abandon Application No. 77/405,271 for the mark "MARGARITA GRILLE" pursuant to Trademark Rule 2.135, 37 C.F.R. § 2.135, with prejudice.
2. Opposer, with the consent of Applicants, hereby withdraws the present Opposition No. 91189518, pursuant to the Trademark Rule 2.106 (c), 37 C.F.R. § 2.106(c), with prejudice.
3. Holly Pekowsky, counsel for Applicants, and Joel Feldman, counsel for Opposer, have communicated by e-mail and telephone and agree to the form and content of this stipulation and that this stipulation shall be filed electronically in accordance with the parties' agreement.

Dated: December 3, 2009

SO STIPULATED AND AGREED:

APPLICANTS	OPPOSER
/Holly Pekowsky/	/Joel R. Feldman/
<hr/> AMSTER, ROTHSTEIN & EBENSTEIN LLP	<hr/> GREENBERG TRAURIG, LLP
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Counsel for Applicants George Malamas and Michael Scharlat	Counsel for Opposer Margaritaville Enterprises, LLC

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