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

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|------------------------|--|
| Proceeding | 91190298 |
| Party | Defendant The Lost Cherokee of Arkansas and Missouri, Inc. |
| Correspondence Address | Curtis Smith Lost Cherokee of Arkansas and Missouri 2201 Washington Ave. Conway, AR 72032 UNITED STATES redhawk1249@yahoo.com |
| Submission | Withdrawal Of Application |
| Filer's Name | Gary N. Speed |
| Filer's e-mail | speedlaw@speedlaw.com |
| Signature | /Gary Speed/ |
| Date | 11/05/2009 |
| Attachments | Withdrawal of Application 91190298 2009-11-05.pdf (2 pages)(11841 bytes) |

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

In the matter of

CHEROKEE NATION

**Appl. Serial No. 77082909
Opposition No. 91190298**

Opposer

V.

**THE LOST CHEROKEE OF ARKANSAS
AND MISSOURI, INC,**

an Arkansas Non-Profit Corporation

Applicant

REQUEST FOR WITHDRAWAL OF APPLICATION

On behalf of The Lost Cherokee of Arkansas and Missouri, Inc., Speed Law Firm files this answer and states as follows:

1. Applicant requests permission to withdraw Trademark Application Serial No. 77/082,909 from consideration and requests that this opposition be dismissed.
2. Applicant has contacted counsel for the Opposer and has been authorized to state that Opposer consents to Applicant's request to withdraw the application.
3. Applicant's withdrawal is without prejudice to other rights it may have to the subject mark and is not intended to be an admission of any wrongdoing.
4. Applicant files this request in lieu of responding to Opposer's motions.

Accordingly, Applicant requests that its application be withdrawn, that the Opposer's pending motions be dismissed as moot and that the opposition be dismissed.

Dated November 5, 2009.

APPLICANT:
LOST CHEROKEE OF ARKANSAS AND
MISSOURI, INC., BY ITS ATTORNEYS

 / Gary N. Speed/
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CERTIFICATE OF TRANSMISSION AND SERVICE

I hereby certify that this correspondence is being electronically transmitted via ESSTA to the United States Patent and Trademark Office on this November 5, 2009 and has sent a copy to Anthony J. Jorgenson, Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C., 320 South Boston, Suite 200, Tulsa, OK 74103 electronically at ajorgenson@hallestill.com.

 / Gary N. Speed/
Gary N. Speed