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Filing date: **07/07/2010**

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

Proceeding	91191536
Party	Plaintiff McDonald's Corporation
Correspondence Address	McDonald's Corporation One McDonald's Plaza Oak Brook, IL 60523 UNITED STATES jennifer.omalley@us.mcd.com, rbrowne@ngelaw.com
Submission	Withdrawal of Opposition
Filer's Name	Robert E Browne
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Signature	/Robert E. Browne/
Date	07/07/2010
Attachments	Motion for Withdrawal.pdf (4 pages)(81824 bytes)

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

In the Matter of:
Application Serial No. 77/511,690
Published in the *Official Gazette*
February 17, 2009

McDONALD'S CORPORATION,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91191536
)	
McFEST, LLC,)	
)	
Applicant.)	

**MOTION FOR WITHDRAWAL OF OPPOSITION
UPON ABANDONMENT OF APPLICATION PURSUANT
TO SETTLEMENT AGREEMENT**

Opposer, McDONALD'S CORPORATION, hereby moves for dismissal of the above Opposition without prejudice in accordance with 37 CFR §2.106(c), contingent upon entry of the attached Abandonment of application Serial No. 77/511,690, with prejudice.

As grounds for its motion, Opposer states that:

1. Opposer timely filed a Notice of Opposition on August 17, 2009.
2. The Trademark Trial and Appeal Board entered an Order instituting the Opposition proceeding and setting forth the trial schedule on August 18, 2009.
3. Following entry of the Board's Order, Opposer and Applicant, McFest, LLC, had discussions regarding this matter and they were able to resolve their differences by entering into a Settlement Agreement.
4. Applicant has not filed an Answer in this Opposition proceeding.
5. Applicant has executed the Express Abandonment of Application Serial no. 77/511,690 attached as Exhibit A hereto.

6. In accordance with the Settlement Agreement, Opposer presents this Motion to enter the attached Express Abandonment with prejudice and, upon entry, to withdraw the Opposition without prejudice.

WHEREFORE, Opposer respectfully requests that the Motion be granted.

Respectfully submitted,

McDONALD'S CORPORATION

Date: July 7, 2010

By:



Robert E. Browne
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CERTIFICATE OF SERVICE

I, Lacey Bailey, a non-attorney hereby certify that a true and correct copy of the foregoing **MOTION FOR WITHDRAWAL OF OPPOSITION** was served upon the interested party listed below by placing a copy of said document in a postage pre-paid envelope, properly addressed as set forth below, with the U.S. Postal Service on November 7, 2005:

Ryan Hinshaw, Esquire
Linda S. Mensch, P.C.
200 S. Michigan Avenue
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Lacey Bailey

NGEDOCs: 1722337.1

EXHIBIT A – EXPRESS ABANDONMENT

UNITED STATES PATENT AND TRADEMARK OFFICE

MCDONALD'S CORPORATION

Opposer,

v.

McFEST, LLC

Applicant.

Mark: McFEST

Serial No. 77/511,690

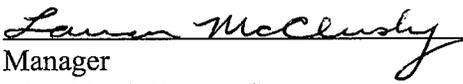
EXPRESS ABANDONMENT OF APPLICATION NO. 77/511,690

McFest, LLC ("Applicant"), owner of Application Serial Number 77/511,690, hereby expressly requests abandonment of the subject application.

WHEREFORE, Applicant requests that the United States Patent & Trademark Office enter this Express Abandonment of Application 77/511,690.

Respectfully submitted,

McFEST, LLC



Manager
1644 North Honore Street
Chicago, IL 60622

6/17/10

Date