

ESTTA Tracking number: **ESTTA310175**

Filing date: **10/07/2009**

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

| | |
|---------------------------|---|
| Proceeding | 91191611 |
| Party | Defendant Insta Elektro GmbH |
| Correspondence Address | Jonathan Hudis Oblon, Spivak, McClelland, Maier & Neust 1940 Duke Street Alexandria, VA 22314 UNITED STATES tmdocket@oblon.com, jhudis@oblon.com |
| Submission | Withdrawal Of Application |
| Filer's Name | Jonathan Hudis |
| Filer's e-mail | tmdocket@oblon.com, jhudis@oblon.com |
| Signature | /Jonathan Hudis/ |
| Date | 10/07/2009 |
| Attachments | Stipulated Wdwl of Appln_Final_10-07-09.PDF (2 pages)(14671 bytes) |

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

| | | |
|--------------------------|---|-------------------------------|
| U.S. POLE COMPANY, INC., |) | |
| |) | |
| Opposer, |) | |
| |) | |
| v. |) | Opposition No.: 91/191,611 |
| |) | Appln. Serial No.: 79/056,058 |
| INSTA ELEKTRO GmbH, |) | |
| |) | |
| Applicant. |) | |

The Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

STIPULATED WITHDRAWAL OF
APPLICATION (WITHOUT PREJUDICE)

Applicant, INSTA ELEKTRO GmbH, pursuant to Trademark Rule 2.135, without prejudice and with Opposer’s consent, hereby withdraws Application Serial No. 79/056,058 to register the mark INSTA.

Respectfully submitted,

Respectfully submitted,

U.S. POLE COMPANY, INC.

INSTA ELEKTRO GmbH

By: s/ Gary J. Nelson
Gary J. Nelson
CHRISTIE, PARKER
& HALE, L.L.P.
Wells Fargo Bank Building, 5th Floor
350 West Colorado Boulevard
P.O. Box 7068
Pasadena, CA 91109-7068
(626) 795-9900
fax (626) 577-8800
E-mail: pto@cph.com

By: s/ Jonathan Hudis
Jonathan Hudis
OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT, L.L.P.
1940 Duke Street
Alexandria, Virginia 22314
(703) 413-3000
fax (703) 413-2220
E-mail: tmdocket@oblon.com

Attorneys for Opposer
Dated: October 7, 2009

Attorneys for Applicant
Dated: October 7, 2009

CERTIFICATE OF SERVICE

Pursuant to Trademark Rule 2.119(b)(6), and by agreement of the parties, I hereby certify that a true copy of the foregoing **STIPULATED WITHDRAWAL OF APPLICATION (WITHOUT PREJUDICE)** was served on counsel for Opposer, this 7th day of October, 2009, by sending same via e-mail to:

Gary J. Nelson, Esquire
CHRISTIE, PARKER & HALE, L.L.P.
Wells Fargo Bank Building, 5th Floor
350 West Colorado Boulevard
P.O. Box 7068
Pasadena, CA 91109-7068
E-mail: pto@cph.com

/s Jonathan Hudis _____