

ESTTA Tracking number: **ESTTA352255**

Filing date: **06/10/2010**

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

Proceeding	91191712
Party	Plaintiff KELLOGG NORTH AMERICA COMPANY
Correspondence Address	Lisabeth H. Coakley Harness, Dickey & Pierce, P.L.C. 5445 Corporate Drive, Suite 200 Troy, MI 48098 UNITED STATES coakley@hdp.com, tjcomparoni@hdp.com
Submission	Withdrawal of Opposition
Filer's Name	Lisabeth H. Coakley
Filer's e-mail	coakley@hdp.com, tjcomparoni@hdp.com
Signature	/lhc/
Date	06/10/2010
Attachments	91191712 TONY 262 61010.pdf (2 pages)(40421 bytes)

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

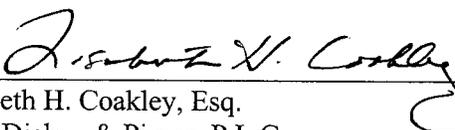
Kellogg North America Company)	
Opposer,)	
v.)	Opposition No. 91191712
)	Serial No. 77/454574
Tainan Enterprises Co., Ltd.)	Mark: TONY
Applicant.)	

WITHDRAWAL OF NOTICE OF OPPOSITON WITH PREJUDICE

Kellogg North America Company hereby withdraws its Notice of Opposition filed against Application Serial No. 77/454574 with prejudice. This withdrawal is made pursuant to the terms of an agreement between the parties.

Respectfully submitted,

Dated: June 10, 2010

By: 
Lisabeth H. Coakley, Esq.
Harness, Dickey & Pierce, P.L.C.
5445 Corporate Drive, Suite 200
Troy, Michigan 48098
Telephone: (248) 641-1600
Coakley@hdp.com

Attorneys for Opposer Kellogg North America
Company

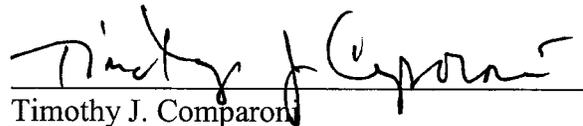
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Kellogg North America Company)	
Opposer,)	
v.)	Opposition No. 91191712
)	Serial No. 77/454574
Tainan Enterprises Co., Ltd.)	Mark: TONY
Applicant.)	
<hr/>		

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Withdrawal of Opposition With Prejudice has been served on the following counsel for Applicant, Tainan Enterprises Co., Ltd. on June 10, 2010, via First Class Mail, postage prepaid to.

M. Scott Alprin
Rabin & Berdo, P.C.
Suite 500, 1101 14th Street, NW
Washington, DC 20005



Timothy J. Comparon