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Filing date: **01/12/2010**

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

Proceeding	91192936
Party	Defendant Euro-Pro Operating LLC
Correspondence Address	LAWRENCE W. GREENE COWAN, LIEBOWITZ & LATMAN, P.C. 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036-6710 UNITED STATES
Submission	Withdrawal Of Application
Filer's Name	Lawrence W. Greene
Filer's e-mail	LWG@CLL.COM, TRADEMARK@CLL.COM
Signature	/Lawrence W. Greene/
Date	01/12/2010
Attachments	FIESTAVILLE - Express Abandonment.pdf (3 pages)(7736 bytes)

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

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MARGARITAVILLE ENTERPRISES, LLC,:	:	
Opposer,	:	Opposition No. 91192936
v.	:	Serial No. 77/668,526
EURO-PRO OPERATING LLC,	:	
Applicant.	:	
-----X	:	

ABANDONMENT OF APPLICATION

Pursuant to 37 C.F.R. § 2.135, Euro-Pro Operating LLC (“Applicant”) hereby abandons U.S. Trademark Serial No. 77/668,526 for FIESTAVILLE in Class 7.

This abandonment is not intended as an admission by Applicant as to the merits of the opposition proceeding brought by Margaritaville Enterprises, LLC (“Opposer”). Specifically, while Applicant does not believe its FIESTAVILLE mark is confusingly similar to Opposer’s MARGARITAVILLE mark - particularly insofar as Opposer’s relevant registered rights in the United States pertain exclusively and narrowly to the term “MARGARITAVILLE” which is not visually, phonetically or connotatively similar to Applicant’s mark – Applicant no longer

possesses a present bona fide intention to introduce use of its FIESTAVILLE mark and for that reason, and that reason alone, expressly abandons its application.

Dated: New York, New York
January 12, 2010

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Applicant

By: /Lawrence W. Greene/
Lawrence W. Greene
1133 Avenue of the Americas
New York, New York 10036-6799
Tel: (212) 790-9229
Fax: (212) 575-0671

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing ABANDONMENT OF APPLICATION was sent via First Class Mail, postage paid mail to Applicant's attorney, David Ehrlich, Fross Zelnick Lehrman & Zissu, P.C., 866 United Nations Plaza, New York, New York 10017, on January 12, 2010.

/Lawrence W. Greene/
Lawrence W. Greene