

ESTTA Tracking number: **ESTTA379832**

Filing date: **11/22/2010**

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

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|------------------------|--|
| Proceeding | 91194262 |
| Party | Defendant Mary Kay Inc. |
| Correspondence Address | ALICIA MORRIS GROOS FULBRIGHT & JAWORSKI L.L.P. 600 CONGRESS AVENUE, SUITE 2400 AUSTIN, TX 78701 UNITED STATES aotrademark@fulbright.com, rgroos@fulbright.com, agroos@fulbright.com, kpfertner@fulbright.com, john.wiseman@mkcorp.com |
| Submission | Withdrawal Of Application |
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| Signature | /Alicia Morris Groos/ |
| Date | 11/22/2010 |
| Attachments | EXPRESS ABANDONMENT WITH PREJUDICE WITH CONSENT.pdf (3 pages)(39449 bytes) |

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

In the Matter of Serial No. 77/877,396
Filing Date: November 20, 2009
Published in the Official Gazette: March 23, 2010
Mark: SHARE THE LOVE

ACT II JEWELRY, INC. D/B/A LIA
SOPHIA,

Opposer,

v.

MARY KAY INC.,

Applicant.

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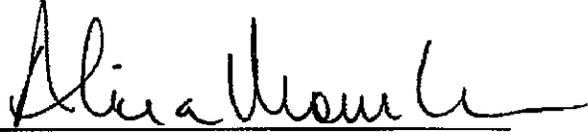
Opposition No. 91194262

EXPRESS ABANDONMENT WITH PREJUDICE WITH CONSENT

Applicant Mary Kay Inc., pursuant to 37 CFR § 2.135 and TBMP § 602.01, hereby expressly withdraws its Application Serial No. 77/877,396 with prejudice with consent. The consent of Act II Jewelry, Inc. D/B/A Lia Sophia is evidenced by the signature of counsel below.

Respectfully submitted,

Dated: November 18, 2010

By: 

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ATTORNEYS FOR APPLICANT

Dated: November 22, 2010

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing EXPRESS ABANDONMENT WITH PREJUDICE WITH CONSENT has been served on counsel for Opposer by mailing said copy on November 22, 2010 via First Class Mail, postage prepaid to:

Tal S. Benschar
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