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

Proceeding	91194648
Party	Defendant Daystar Products International, Inc.
Correspondence Address	DAVID A. LOWE 701 5TH AVE STE 4800 SEATTLE, WA 98104-7009  lowe@blacklaw.com
Submission	Withdrawal Of Application
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Date	05/21/2010
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SCORPION PERFORMANCE, INC.,

Opposer,

v.

DAYSTAR PRODUCTS INTERNATIONAL,  
INC.,

Applicant.

Opposition No. 91194648

**APPLICANT'S EXPRESS WITHDRAWAL OF APPLICATION**

Applicant Daystar Products International, Inc. ("Daystar") hereby withdraws its

application for the pending mark



(Serial No. 77793895). The parties

have executed a Settlement Agreement that will result in the termination of this Opposition proceeding.

DATED this 21<sup>st</sup> day of May, 2010.

s/ David A. Lowe, PTO Reg. No. 39,281

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Attorneys for Daystar Products  
International, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 21<sup>st</sup> day of May, 2010 a true copy of the foregoing APPLICANT'S EXPRESS WITHDRAWAL OF APPLICATION was served via First Class U.S Mail, addressed as follows:

James F. Gossett  
HOWE & HUTTON, LTD.  
20 North Wacker Drive, Suite 4200  
Chicago, IL 60606

s/ Sarah Gist