

ESTTA Tracking number: **ESTTA445149**

Filing date: **12/07/2011**

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

Proceeding	91195442
Party	Defendant Gwynne 5 Beverage, LLC
Correspondence Address	ARLANA S COHEN COWAN LIEBOWITZ & LATMAN PC 1133 AVENUE OF THE AMERICAS NEW YORK, NY 10036-6799 UNITED STATES asc@cll.com, trademark@cll.com, ejs@cll.com
Submission	Withdrawal Of Application
Filer's Name	Robert J. English
Filer's e-mail	rje@cll.com, asc@cll.com, sbi@cll.com
Signature	/rje/
Date	12/07/2011
Attachments	Withdrawal of THE WATERMILLER & Design Application.pdf (2 pages) (156031 bytes)

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

In re Application Serial No. 77/765,851
Filed: June 23, 2009
For Mark: THE WATERMILLER & Design
Published in the Official Gazette: March 9, 2010

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WATERMILL EXPRESS, LLC,
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Opposer,
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v.
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GWYNNE 5 BEVERAGE, LLC
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Applicant.
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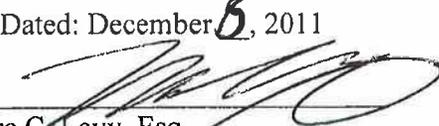
**WITHDRAWAL OF APPLICATION
ON CONSENT**

Opposition No. 91195442

Commissioner for Trademarks
Attn: Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Pursuant to 37 C.F.R. Section 2.135, and with Opposer's consent, Applicant, hereby expressly withdraws the above-identified application for the mark THE WATERMILLER & Design, Serial No. 77/765,851.

Dated: December 5, 2011

By: 
Marc C. Levy, Esq.
Faegre & Benson LLP
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Respectfully submitted:
By: 
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on December 7, 2011, I caused a true and correct copy of the foregoing Withdrawal of Application to be sent via First Class Mail, postage prepaid, to Opposer's correspondent of record, Marc C. Levy, Esq. Faegre & Benson LLP, 3200 Wells Fargo Center, 1700 Lincoln Street, Denver, CO 80203-4532.



Robert J. English