

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

vw

Mailed: September 19, 2011

Opposition No. 91199123

Ricardo A. Azzarello

v.

Speed Energy Drink, LLC

Opposer, without the written consent of applicant, filed a withdrawal of the opposition on September 7, 2011.¹

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice.

***By the Trademark Trial
and Appeal Board***

¹After a review of the opposer's motion it is noted that the opposer is proving proof of service upon a wrong address for applicant. It appears to be a typo "600" instead of "611." In order to expedite this matter, a copy of the (September 7, 2011) paper is forwarded herewith to applicant's counsel.