

ESTTA Tracking number: **ESTTA493106**

Filing date: **09/07/2012**

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

Proceeding	91203146
Party	Plaintiff Cool Cat Cafe LLC, Cool Cat Cafe SLO, LLC
Correspondence Address	SETH M REISS SETH M REISS AAL ALLLC 3770 LURLINE DRIVE HONOLULU, HI 96816 UNITED STATES seth.reiss@lex-ip.com, sethreiss@hawaii.rr.com
Submission	Other Motions/Papers
Filer's Name	Seth M Reiss
Filer's e-mail	seth.reiss@lex-ip.com
Signature	/seth m reiss/
Date	09/07/2012
Attachments	Signed Consent Motion with COS signed.pdf (3 pages)(20015 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of:
Application Serial No. 85/309097
Mark: Cool Cate Cafe & Design
Published on November 1, 2011

<p>Cool Cat Cafe LLC and Cool Cat Cafe SLO, LLC,</p> <p style="text-align: center;">Opposers,</p> <p style="text-align: center;">vs.</p> <p>The Gregory Group,</p> <p style="text-align: center;">Applicant.</p>	<p style="text-align: center;">Opposition No.: 91203146</p>
--	---

**CONSENT MOTION TO REQUEST EXPRESS ABANDONMENT OF APPLICATION
AND TO DISMISS OPPOSITION WITH PREJUDICE**

Pursuant to an Agreement effective August 30, 2012, Applicant, with Opposers' consent, requests express abandonment (withdrawal) under 37 CFR § 2.68 of U.S. Application Serial No. 85/309,097 for the mark COOL CATE CAFE & Design.

Upon entry of said express abandonment, Opposers Cool Cat Cafe LLC and Cool Cat Cafe SLO, LLC, with the consent of Applicant The Gregory Group, hereby request the Board dismiss TTAB Opposition No. 91203146 with prejudice. In the event that the express abandonment of U.S. Application Serial No. 85/309,097 is not entered, the parties request that the proceeding be suspended for further settlement negotiations.

Respectfully submitted,

SOWELL GRAY STEPP & LAFFITTE, L.L.C. **SETH M. REISS, AAL, ALLLC**

by: /s/J. Calhoun Watson

J. Calhoun Watson
1310 Gadsden Street
Post Office Box 11449
Columbia, South Carolina 29211
(803) 929-1400 Telephone
(803) 929-0300 Facsimile
Email: cwatson@sowellgray.com

Counsel for Applicant

by: / Seth M. Reiss/

Seth M. Reiss
3770 Lurline Drive
Honolulu, HI 96816
808-521-7080 (Phone)
808-675-5805 (Facsimile)
seth.reiss@lex-ip.com

Counsel for Opposers

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing Consent Motion to Request Express Abandonment of Application and Dismissal with Prejudice, via e-mail, on September 6, 2012, PST (September 7, 2012 EST):

/Seth M. Reiss/
Seth M. Reiss