

ESTTA Tracking number: **ESTTA565756**

Filing date: **10/18/2013**

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

Proceeding	91205346
Party	Plaintiff Hubby's Edibles, LLC
Correspondence Address	DAVID G DUCKWORTH RUSSO & DUCKWORTH LLP 9090 IRVINE CENTER DRIVE SECOND FLOOR IRVINE, CA 92618 UNITED STATES usptofilings@russoandduckworth.com
Submission	Withdrawal of Opposition
Filer's Name	David G. Duckworth
Filer's e-mail	usptofilings@russoandduckworth.com
Signature	/David G. Duckworth/
Date	10/18/2013
Attachments	StipulationToWithdrawal.pdf(10010 bytes)

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

Hubby's Edibles, LLC (a California limited liability company), Opposer, v. Incredible Edibles, Inc., (a California corporation) Applicant.	Opposition No.: 91205346 Application Serial No: 85/463,956 Filing Date: November 3, 2011 Mark: HUBBY'S EDIBLES
--	--

STIPULATION TO WITHDRAWAL

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Sir:

The present Opposition has been stayed pending litigation between Applicant Hubby's Edibles, LLC and Incredible Edibles, Inc. (Superior Court County of Los Angeles Case No. LC098998). The parties have now reached a Settlement in connection with this lawsuit. Pursuant to the terms of the Settlement, Opposer agrees to withdrawal its Opposition to Incredible Edibles, Inc.'s registration of the mark HUBBY'S EDIBLES. Applicant Incredible Edibles, Inc., agrees and hereby stipulates to Opposer's withdrawal of the present Opposition.

By: /David G. Duckworth/
David G. Duckworth
Russo & Duckworth, LLP
Registration No. 39,516
Attorney for Opposer Hubby's Edibles, LLC
Telephone: (949) 724-1255

Date: October 18, 2013

By: /Evan Anderson/
Evan Anderson
Brand Ventures Intellectual Property Law
Attorney for Applicant Incredible Edibles, Inc.
Telephone: (424) 750-9499

Date: October 18, 2013

PROOF OF SERVICE

I hereby certify that a true and complete copy of the foregoing **STIPULATION TO WITHDRAWAL** has been served on Evan Anderson, Brand Ventures Intellectual Property Law, counsel for Applicant, on October 18, 2013 via First Class Mail, postage prepaid to:

Mr. Evan Andreson
Brand Ventures Intellectual Property Law
2434 Lincoln Blvd., Floor 2
Los Angeles, CA 90291

By: /Keisha Vidrio/
Keisha Vidrio

Date: October 18, 2013

CERTIFICATE OF TRANSMITTAL

I hereby certify that the foregoing **STIPULATION TO WITHDRAWAL** is being filed electronically with the TTAB via ESTTA on October 18, 2013.

/David G. Duckworth/
David G. Duckworth

Attorney for Opposer Hubby's Edibles, LLC