

ESTTA Tracking number: **ESTTA547878**

Filing date: **07/11/2013**

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

Proceeding	91208954
Party	Plaintiff NHS, Inc.
Correspondence Address	Stephanie O. Sparks Hoge Fenton Jones & Appel, Inc. 60 South Market Street, Suite 1400 San Jose, CA 95113 UNITED STATES SOS@hogefenton.com
Submission	Withdrawal of Opposition
Filer's Name	Stephanie O. Sparks
Filer's e-mail	uspto@hogefenton.com
Signature	/Stephanie O. Sparks/
Date	07/11/2013
Attachments	Withdrawal of Opposition.pdf(42309 bytes )

**Exhibit B**

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

NHS, INC.,	)	Opposition No.: 91208954
	)	
Opposer,	)	Serial No.: 85/683,890
	)	
v.	)	Mark: FIERCELY INDEPENDENT
	)	
ERIK BUELL RACING, LLC,	)	I hereby certify that this correspondence and all marked attachments are
	)	being deposited with the United States Patent and Trademark Office,
Applicant.	)	Trademark Trial and Appeal Board via electronic filing through their
	)	website located at <a href="http://esta.uspto.gov/">http://esta.uspto.gov/</a> on:
	)	<u>7-11-13</u>
	)	(Date)
	)	<u>Stephanie O. Sparks</u>
	)	Stephanie O. Sparks

**JOINT MOTION FOR WITHDRAWAL OF  
OPPOSITION WITHOUT PREJUDICE**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir:

Applicant and Opposer respectfully move the Trademark Trial and Appeal Board for withdrawal of the above-captioned opposition proceeding without prejudice.

Respectfully submitted,

**HOGUE, FENTON, JONES AND APPEL, INC.      HAHN LOESER & PARKS LLP**

By: Stephanie O. Sparks  
Stephanie O. Sparks  
60 S. Market St., 14<sup>th</sup> Floor  
San Jose, CA 95113  
Attorneys for Opposer,  
NHS, Inc.

By: Rex W. Miller, II  
Rex W. Miller, II  
65 East State Street, Suite 1400  
Columbus, Ohio 43215  
Attorneys for Applicant,  
Erik Buell Racing, LLC

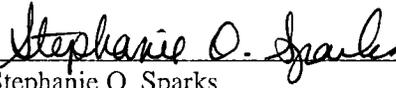
Dated: 7-11-13

Date: 7/9/13

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing JOINT MOTION FOR WITHDRAWAL OPPOSITION WITHOUT PREJUDICE upon Applicant's counsel by depositing one copy thereof in the United States Mail, first-class postage prepaid, on 7-11-13, 2013, addressed as follows:

Rex W. Miller, II  
65 East State Street, Suite 1400  
Columbus, Ohio 43215  
Attorneys for Applicant,  
Erik Buell Racing, LLC

  
Stephanie O. Sparks