

ESTTA Tracking number: **ESTTA553092**

Filing date: **08/08/2013**

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

| | |
|------------------------|--|
| Proceeding | 91209695 |
| Party | Plaintiff NIHC, Inc. |
| Correspondence Address | WILLIAM O FERRON JR SEED IP LAW GROUP PLLC 701 FIFTH AVENUE, SUITE 5400 SEATTLE, WA 98104 UNITED STATES BillF@SeedIP.com, LitCal@SeedIP.com |
| Submission | Withdrawal of Opposition |
| Filer's Name | Jared M. Barrett |
| Filer's e-mail | JaredB@SeedIP.com, litcal@SeedIP.com |
| Signature | /Jared M. Barrett/ |
| Date | 08/08/2013 |
| Attachments | Stip Amend & Dismissal.pdf(38391 bytes) |

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

| | | |
|----------------|---|--------------------------------|
| NIHC, Inc., |) | |
| |) | |
| Opposer, |) | Opposition No.91209695 |
| |) | |
| v. |) | Serial No. 85/654856 |
| |) | |
| Thomas Tucker, |) | |
| |) | |
| Applicant. |) | Attorney Docket No. 690097.893 |
| _____ |) | |

STIPULATED AMENDMENT OF APPLICATION AND
DISMISSAL OF OPPOSITION

Pursuant to a Settlement Agreement between the parties, and subject to the approval of the Board, NIHC, Inc. ("NIHC") and Applicant, Thomas Tucker ("Tucker") stipulate that Application Serial No. 85/654856 shall be amended as follows:

(a) The goods are amended to (additions underlined):

Clothing for athletic use namely, padded pants, jerseys, board shorts, t-shirts,
all for use as paintball gear in International Class 25.

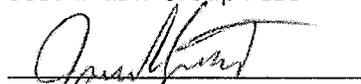
(b) The application is amended to include the following statement:

No claim is made to the exclusive use of RACK apart from the mark as shown.

NIHC and Tucker further stipulate that, conditioned on the above amendments being entered in Application Serial No. 85/654856, this Opposition proceeding shall be dismissed with prejudice.

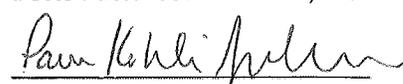
DATED this 8th day of August, 2013.

Seed IP Law Group PLLC



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