

ESTTA Tracking number: **ESTTA559910**

Filing date: **09/17/2013**

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

Proceeding	91210177
Party	Plaintiff Square, Inc.
Correspondence Address	CONNIE L ELLERBACH FENWICK & WEST LLP 801 CALIFORNIA STREET, SILICON VALLEY CENTER MOUNTAIN VIEW, CA 94041 UNITED STATES trademarks@fenwick.com
Submission	Withdrawal of Opposition
Filer's Name	Connie L. Ellerbach
Filer's e-mail	trademarks@fenwick.com
Signature	/cle1087/
Date	09/17/2013
Attachments	ESQUARE Withdrawal of Opposition.pdf(53897 bytes )

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

In the matter of  
Trademark Application No.: 85/670,848  
Mark: ESQUARE  
Application Date: July 6, 2012

_____	)	
Square, Inc.	)	
	)	
Opposer,	)	Opposition No. 91210177
	)	
vs.	)	
	)	
e2 Auto LLC	)	
	)	
Applicant.	)	
_____	)	

WITHDRAWAL OF OPPOSITION

Opposer, Square, Inc., by and through its attorneys, notes that the Trademark Trial and Appeal Board has approved and entered Applicant's amendment to the identification of goods. Pursuant to the parties' agreement, Opposer hereby withdraws its Notice of Opposition to registration of Application Serial No. 85/670,848 as amended, in Opposition No. 91210177 with prejudice pursuant to 37 C.F.R. §2.106(c). Opposer has served this Withdrawal of Opposition on counsel for Applicant, as evidenced by the attached Certificate of Service by Mail.

Respectfully submitted,

Dated: September 17, 2013

          /Connie L Ellerbach/  
Connie L. Ellerbach, Esq.  
Attorney for Opposer  
FENWICK & WEST LLP  
Silicon Valley Center  
801 California Street  
Mountain View, CA 94041  
650-988-8500

**CERTIFICATE OF SERVICE**

The undersigned declares that:

I am employed in the County of Santa Clara, State of California. I am over the age of 18 and not a party to this action. My business address is: Fenwick & West LLP, Silicon Valley Center, 801 California Street, Mountain View, CA 94041.

On September 17, 2013, I caused to be served the attached:

**WITHDRAWAL OF OPPOSITION**

on the parties in the subject action by placing a true copy thereof as indicated below, address:

Eric Winokur  
e2 Auto LLC  
3131 S Bascom Ave, Ste 210  
Campbell, CA 95008-6754

- (XX) **BY U.S. MAIL:** I am familiar with our business practices for collecting and processing of mail for the United States Postal Service. Mail placed by me within the office for collection for the United States Postal Service would normally be deposited with the United States Postal Services that day in the ordinary course of business. The envelope(s) bearing the address(es) above was sealed and placed for collection and mailing on the date below following our ordinary business practices.
- ( ) **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand on the office(s) of the addressee(s).
- ( ) **BY FEDERAL EXPRESS:** I caused such envelope(s) to be delivered to Federal Express for overnight courier service to the office(s) of the addressee(s).
- ( ) **BY FACSIMILE:** I caused a copy of such document(s) to be sent via facsimile transmission to the office(s) of the party(s) stated above and was transmitted without error.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: September 17, 2013



\_\_\_\_\_  
Nanette Barranti