

ESTTA Tracking number: **ESTTA634814**

Filing date: **10/23/2014**

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

Proceeding	91213225
Party	Defendant Ability Dynamics, LLC
Correspondence Address	DAVID WADE SCHNELL THE NOBLITT GROUP PLLC 8800 N GAINES CENTER DR , STE 279 SCOTTSDALE, AZ 85258-2123 UNITED STATES dwschnell@ngtechlaw.com
Submission	Withdrawal Of Application
Filer's Name	David Wade Schnell
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Signature	/David Wade Schnell/
Date	10/23/2014
Attachments	10332 0700OPP_2014-10-23_withdrawal of application and opposition Signed.pdf(10372 bytes)

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

_____)	
RUSH UNIVERSITY MEDICAL)	
CENTER,)	
)	Trademark Application
)	Serial No. 85/850,446
)	
)	Mark: RUSH
Opposer/Plaintiff,)	
)	
v.)	Filed: February 14, 2013
)	Published on: August 27, 2013
)	Opposition No. 91/213,225
ABILITY DYNAMICS, LLC)	
)	
)	
Applicant/Defendant.)	
_____)	

**WITHDRAWAL OF APPLICATION AND WITHDRAWAL OF OPPOSITION
PROCEEDING WITH PREJUDICE**

In response to a settlement agreement executed on October 21, 2014, Applicant Ability Dynamics, LLC, by its counsel, with consent of the Opposer, hereby withdraws the above identified application. Furthermore, the parties hereby jointly consent to withdraw Opposition No. 85/850,446 including all Claims and Counterclaims.

[SIGNATURES ON SEPARATE PAGE]

Dated: 10/23/14

Respectfully submitted,

/David Wade Schnell/

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Dated: 10/23/2014

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Attorney for Opposer
Rush University Medical Center

**CERTIFICATE OF ELECTRONIC
FILING**

I hereby certify that the attached WITHDRAWAL OF APPLICATION AND WITHDRAWAL OF OPPOSITION PROCEEDING WITH PREJUDICE was filed electronically with the Trademark Trial and Appeal Board on 10/23/14.

/David Wade Schnell/
David Wade Schnell

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served by First Class mail on October 23, 2014, postage prepaid, to counsel for Opposer:

Jennifer M. Mikulina
McDermott, Will & Emery
227 West Monroe Street
Chicago, IL 60606-5906

Dated: 10/23/14

/David Wade Schnell/
David Wade Schnell