

ESTTA Tracking number: **ESTTA577125**

Filing date: **12/17/2013**

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

Proceeding	91213272
Party	Plaintiff Fruit of the Loom, Inc.
Correspondence Address	Carrie A. Shufflebarger Thompson Hine LLP 312 Walnut Street Fourteenth Floor Cincinnati, OH 45202 UNITED STATES carrie.shufflebarger@thompsonhine.com, docket@thompsonhine.com, ipdocket@thompsonhine.com, les.dooley@fotlinc.com
Submission	Other Motions/Papers
Filer's Name	Carrie A. Shufflebarger
Filer's e-mail	carrie.shufflebarger@thompsonhine.com, docket@thompsonhine.com, ipdocket@thompsonhine.com, les.dooley@fotlinc.com, sharon.bella@thompsonhine.com
Signature	/Carrie A. Shufflebarger/
Date	12/17/2013
Attachments	Dismissal.pdf(336409 bytes )

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

---

FRUIT OF THE LOOM, INC.	:	
	:	
Opposer,	:	Opposition No. 91213272
	:	
v.	:	Application No. 85886848
	:	
RONAN B. RHODES	:	Mark: FUNKY FRUIT (Stylized)
	:	
Applicant.	:	

---

**CONSENTED REQUEST TO AMEND APPLICATION  
AND CONTINGENT DISMISSAL OF OPPOSITION**

Applicant, Ronan B. Rhodes, requests that the Board enter an amendment in application Serial No. 85886848 to delete International Class 25 in its entirety.

Opposer, Fruit of the Loom, Inc., consents to this amendment.

Accordingly, the parties respectfully request that proceedings be suspended until such time as the Board acts on the amendment.

Contingent on the Board's entry of this amendment, the parties respectfully request that Opposition No. 91213272 be dismissed without prejudice.

FRUIT OF THE LOOM, INC.

RONAN B. RHODES

By its Attorneys,

  
\_\_\_\_\_  
Carrie A. Shufflebarger  
Louis K. Ebling  
THOMPSON HINE LLP  
312 Walnut St.  
Fourteenth Floor  
Cincinnati, OH 45202  
(513) 352-6678

  
\_\_\_\_\_  
Ronan B. Rhodes  
4640 Mansfield Drive  
Newburgh, Indiana 47630

Date: \_\_\_\_\_

12/17/2013

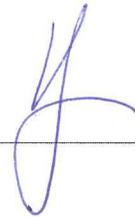
Date: \_\_\_\_\_

12/11/13

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing CONSENTED REQUEST TO AMEND APPLICATION AND CONTINGENT DISMISSAL OF OPPOSITION was served upon the Applicant, at the address set forth below, by First Class Mail, postage pre-paid, this 17<sup>th</sup> day of December, 2013:

Ronan B. Rhodes  
4640 Mansfield Drive  
Newburgh, Indiana 47630

  
\_\_\_\_\_