

ESTTA Tracking number: **ESTTA658479**

Filing date: **02/27/2015**

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

Proceeding	91215627
Party	Plaintiff BIOGAIA
Correspondence Address	David A. Harlow Manning, Fulton & Skinner, P.A. 3605 Glenwood Avenue, Suite 500P.O. Box 20389 Raleigh, NC 27612 UNITED STATES harlow@manningfulton.com
Submission	Withdrawal of Opposition
Filer's Name	David A. Harlow
Filer's e-mail	harlow@manningfulton.com
Signature	/David A. Harlow/
Date	02/27/2015
Attachments	Opp 91215627.pdf(75489 bytes )

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

In the Matter of Application No. 86030402

BioGaia AB,	)	
Opposer,	)	
	)	
v.	)	
	)	Opposition No. 91215627
Gaia Herbs, Inc.	)	
	)	
Applicant.	)	
	)	
	)	

---

**CONSENT DISMISSAL WITH PREJUDICE**

---

Opposer BioGaia AB, by and through the undersigned counsel, hereby Dismisses with Prejudice the Opposition in the above-captioned matter. Applicant consents to the Dismissal with Prejudice. It is therefore requested that this Opposition proceeding be terminated.

Respectfully submitted this the 28<sup>th</sup> day of February, 2015

MANNING FULTON & SKINNER, P.A.

By: /David A. Harlow/  
David A. Harlow  
NCSB #: 1887  
USPTO #: 37,146  
Manning Fulton & Skinner, PA  
3605 Glenwood Ave., Ste. 500  
Raleigh, NC 27612  
Telephone: (919) 787-8880  
Facsimile: 919-325-4659  
Email: [harlow@manningfulton.com](mailto:harlow@manningfulton.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on February 28, 2105 a true and correct copy of the foregoing document has been served this day by depositing a true copy thereof in a depository under the exclusive care and custody of the United States Postal Service in a first class postage prepaid envelope and properly addressed as follows:

Peter Siddoway  
Myers Bigel Sibley & Sajovec, P.A.  
4140 Parklake Avenue, STE. 600  
Raleigh, NC 27612

This the 28<sup>th</sup> day of February, 2015.

/s/ David A. Harlow  
David A. Harlow  
NCSB #: 1887  
USPTO #: 37,146  
Manning Fulton & Skinner, PA  
3605 Glenwood Ave., Ste. 500  
Raleigh, NC 27612  
Telephone: (919) 787-8880  
Facsimile: 919-325-4659  
Email: [harlow@manningfulton.com](mailto:harlow@manningfulton.com)  
*Attorney for Opposer BioGaia AB*