

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number: 571-272-8500

vw

Mailed: December 12, 2014

Opposition No. 91217188

Philip Restifo

v.

Fairmont Holdings, Inc.

By the Trademark Trial and Appeal Board:

On November 10, 2014, opposer filed a withdrawal of the opposition in accordance with the parties' settlement agreement.¹

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice.

¹ Opposer's notification that Fairmont Holdings, Inc. has agreed to dismiss its petition for cancellation of proceeding 92059799 is noted. However, Cancellation No. 92059799 is not involved in this proceeding. The withdrawal with regard to Cancellation No. 92059799 will not be given any consideration. Fairmont Holdings, Inc. needs to submit a withdrawal of its petition for cancellation in Cancellation No. 92059799 for it to be considered.