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Filing date: **06/22/2015**

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

Proceeding	91221165
Party	Plaintiff Thomas Bannister
Correspondence Address	Benjamin Orifici 222 Sackett Street Suite 4R New York, NY 11231 UNITED STATES orifici@gmail.com
Submission	Withdrawal of Opposition
Filer's Name	Benjamin T. Orifici
Filer's e-mail	orifici@gmail.com
Signature	/Benjamin T. Orifici/
Date	06/22/2015
Attachments	Notice of Withdrawal of Opposition vs. Sirius SXM Mark.1.pdf(179576 bytes )

Mark: SXM  
Serial No: 86423012  
Published March 17, 2015

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

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	)	
THOMAS BANNISTER,	)	
CEO of SXM CORPORATION	)	
Opposer,	)	Opposition No. <u>91221165</u>
	)	
vs.	)	<i>In the matter of:</i>
	)	
SIRIUS XM RADIO INC.	)	Application Serial No. <u>86423012</u>
Applicant.	)	Published March 17, 2015
	)	Mark:
	)	<b>SXM</b>
_____	)	

**NOTICE OF WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE**

In the matter of the Opposition No. 91221165 filed against the mark SXM for "subscription based radio broadcasting services" in International Class 38 by Sirius XM Radio Inc. ("Applicant"), assigned Serial No. 86423012, and published for opposition in the Official Gazette of March 17, 2015, THOMAS BANNISTER, CEO of SXM CORPORATION, ("Opposer") withdraws its Opposition to Applicant's mark pursuant to 37 CFR §2.106(c). As Opposer's withdrawal has been filed before Applicant filed its Answer, this withdrawal is without prejudice.

Respectfully submitted for Opposer,

Dated: June 22, 2015

By: /Benjamin T. Orifici/

Mark: SXM  
Serial No: 86423012  
Published March 17, 2015

Benjamin T. Orifici, Esq.  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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THOMAS BANNISTER,	)	
CEO of SXM CORPORATION	)	
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SIRIUS XM RADIO INC.	)	Application Serial No. <u>86423012</u>
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	)	Mark:
	)	<b>SXM</b>
_____	)	

**CERTIFICATE OF SERVICE**

I herby certify that a true and copy of the forgoing Notice of Withdrawal of Opposition has been served on the following by mailing said copy on June 22, 2015, via first class mail, postage prepaid, to Applicant at its correspondence address of record.

Erica D. Klein, Esq.  
Kramer Levin LLP  
1177 Avenue of the Americas  
New York, New York 10036

By: /Benjamin T. Orifici/  
Benjamin T. Orifici, Esq.