

ESTTA Tracking number: **ESTTA689483**

Filing date: **08/13/2015**

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

Proceeding	91222515
Party	Defendant Capstone Plants, Inc.
Correspondence Address	C. BRANDON BROWNING Maynard, Cooper, and Gale, PC 1901 Sixth Avenue North, Suite 2400 Birmingham, AL 35203-4604 bbrowning@maynardcooper.com, tebbert@maynardcooper.com, ipdocket@maynardcooper.com
Submission	Withdrawal Of Application
Filer's Name	C. Brandon Browning
Filer's e-mail	bbrowning@maynardcooper.com, tebbert@maynardcooper.com, ipdocket@maynardcooper.com
Signature	/cbbrowning/
Date	08/13/2015
Attachments	ExpressAbandonLtr515.pdf(119679 bytes) ExpressAbandonmentEX.pdf(93536 bytes)

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

Proceeding No: 91222515

Plaintiff: Poulsen Roser A/S

Defendant: Capstone Plants, Inc.

Request for Express Abandonment (Withdrawal) of Application

By submission of this request, Capstone Plants, Inc. pursuant to 37 C.F.R. § 2.135, hereby expressly abandons, with prejudice, Application Serial No. 86340084, which was opposed in Opposition No. 91222515.

This abandonment is being filed with the written consent of the opposing party, a copy of which is attached hereto as Exhibit "A."

/cbbrowning/

C. Brandon Browning

Maynard, Cooper & Gale, P.C.
1901 Sixth Avenue North, Suite 2400
Birmingham, Alabama 35203-2618

ATTORNEY for DEFENDANT

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on August 13, 2015, one copy of the foregoing REQUEST FOR EXPRESS ABANDONMENT (WITHDRAWAL) OF APPLICATION is being deposited with the United States Postal Service, with sufficient postage as first class mail, in an envelope addressed to:

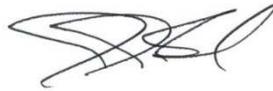
[James J. Saul](#)
Faegre Baker Daniels LLP
311 S. Wacker Drive Suite 4300
Chicago, IL 60606

/cbbrowning/
C. Brandon Browning

EXHIBIT A

Plaintiff, Poulsen Roser A/S, hereby consents to Defendant's foregoing express abandonment with prejudice of application Serial Nos. 86/340,084 and 86/340118 for the trademarks PATIO PARTY and ON-THE-GO PATIO.

Respectfully Submitted,
POULSEN ROSER A/S



By: _____

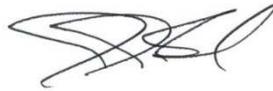
James J. Saul
Attorney for Plaintiff
Faegre Baker Daniels LLP
311 S. Wacker Drive Suite 4300
Chicago, IL 60606

Dated: August 13, 2015

EXHIBIT A

Plaintiff, Poulsen Roser A/S, hereby consents to Defendant's foregoing express abandonment with prejudice of application Serial Nos. 86/340,084 and 86/340118 for the trademarks PATIO PARTY and ON-THE-GO PATIO.

Respectfully Submitted,
POULSEN ROSER A/S



By: _____

James J. Saul
Attorney for Plaintiff
Faegre Baker Daniels LLP
311 S. Wacker Drive Suite 4300
Chicago, IL 60606

Dated: August 13, 2015