

ESTTA Tracking number: **ESTTA775312**

Filing date: **10/07/2016**

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

Proceeding	91225977
Party	Defendant Nelson's Green Brier Distillery, LLC
Correspondence Address	SCOTT M DOUGLASS PATTERSON INTELLECTUAL PROPERTY LAW PC 1600 DIVISION STREET, SUITE 500, ROUNDABOUT PLAZA NASHVILLE, TN 37203 UNITED STATES smd@iplawgroup.com, rdl@iplawgroup.com, docket@iplawgroup.com
Submission	Withdrawal Of Application
Filer's Name	Scott M Douglass
Filer's e-mail	smd@iplawgroup.com
Signature	/Scott M Douglass/
Date	10/07/2016
Attachments	Applicant Revised Withdrawal With Consent.pdf(423828 bytes )

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

Mark: OLD NO. 5  
Application Serial No.: 86/615,120

Jack Daniel's Properties, Inc.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91225977
	)	
Nelson's Green Brier Distillery, LLC,	)	
	)	
Applicant.	)	

**APPLICANT'S WITHDRAWAL OF APPLICATION WITH OPPOSER'S**

**CONSENT**

Applicant Nelson's Green Brier Distillery, LLC hereby withdraws the application at issue in this opposition, for OLD NO. 5, Application Serial No. 86/615,120. Withdrawal is made pursuant to that certain agreement effective as of September 28, 2016, between Applicant and Opposer Jack Daniel's Properties, Inc. Opposer consents to Applicant's withdrawal of the application. Opposer's consent is manifested in the signed consent executed by a representative of Jack Daniel's Properties, Inc. which is attached as Exhibit A.

Respectfully submitted on October 7, 2016,

/Scott M. Douglass/  
Scott M. Douglass  
Patterson Intellectual Property Law, P.C.

1600 Division Street  
Suite 500, Roundabout Plaza  
Nashville, TN 37203  
*Attorneys for Applicant*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 7, 2016, a true and correct copy of the foregoing APPLICANT'S WITHDRAWAL OF APPLICATION was served via the USPTO's ESTTA system (pursuant to 37 CFR § 2.126 and TBMP § 106.03) and via email, on:

D. Peter Harvey Harvey Siskind LLP  
4 Embarcadero Center, 39th Floor  
San Francisco, CA 94111  
pharvey@harveysiskind.com  
clee@harveysiskind.com  
ebenavente@harveysiskind.com

/Scott M. Douglass/  
Scott M. Douglass

# **EXHIBIT A**

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

Mark: OLD NO. 5  
Application Serial No.: 86/615,120

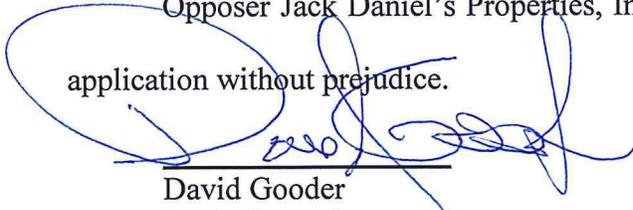
Jack Daniel's Properties, Inc., )  
 )  
 Opposer, )  
 )  
 v. )  
 )  
 Nelson's Green Brier Distillery, LLC, )  
 )  
 Applicant. )

Opposition No. 91225977

**OPPOSER'S WRITTEN CONSENT TO APPLICANT'S WITHDRAWAL OF**  
**APPLICATION WITHOUT PREJUDICE**

Applicant Nelson's Green Brier Distillery, LLC has filed to withdraw the application at issue in this opposition, for OLD NO. 5, Application Serial No. 86/615,120, pursuant to that certain agreement effective as of September 28, 2016.

Opposer Jack Daniel's Properties, Inc. consents to Applicant's withdrawal of the application without prejudice.



David Gooder  
Rachelle Andrews  
Jack Daniel's Properties, Inc.  
4040 Civic Center Drive, Suite 528  
San Rafael, CA 94903  
T: 415-446-5225  
*Attorneys for Opposer*