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Filing date: **07/18/2016**

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

Proceeding	91226475
Party	Plaintiff Lifetouch Inc.
Correspondence Address	SCOTT W JOHNSTON MERCHANT & GOULD PC PO BOX 2910 MINNEAPOLIS, MN 55402-0910 UNITED STATES sjohnston@merchantgould.com, slindemeier@merchantgould.com, dockm- pls@merchantgould.com
Submission	Withdrawal of Opposition
Filer's Name	Scott W. Johnston
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Signature	/SWJ/
Date	07/18/2016
Attachments	2016 07 18 Withdrawal of Applications and Dismissal of Opposition 91226475.PDF(68041 bytes )

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

Lifetouch Inc.,	)	Opposition No. 91226475
	)	
Opposer,	)	Mark: <b>MY LIFE TOUCH</b>
	)	Serial No. 86/428976
v.	)	
	)	Mark: <b>LIFE TOUCH</b>
Xelios Biometrics, Inc.,	)	Serial No. 86/428985
	)	
Applicant.	)	Filing Date: October 20, 2014
		Publication Date: December 15, 2015

WITHDRAWAL OF APPLICATIONS WITH PREJUDICE  
AND DISMISSAL OF OPPOSITION WITHOUT PREJUDICE

Applicant, Xelios Biometrics, Inc., through counsel, hereby withdraws application Serial Nos. 86/428976 and 86/428985, with prejudice, and consents to the dismissal of Opposition No. 91226475, without prejudice.

Opposer, Lifetouch Inc., through counsel, hereby consents to the withdrawal of application Serial Nos. 86/428976 and 86/428985, with prejudice, and dismisses Opposition No. 91226475, without prejudice.

XELIOS BIOMETRICS, INC.

LIFETOUCH INC.

By its Attorneys,

By its Attorneys,

 \_\_\_\_\_ Date

 \_\_\_\_\_ Date 7-18-16

Daniel C. Marotta  
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Scott W. Johnston  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing WITHDRAWAL OF APPLICATIONS WITH PREJUDICE AND DISMISSAL OF OPPOSITION WITHOUT PREJUDICE was served upon the following attorney of record for Applicant by First Class Mail, postage prepaid, this 18<sup>th</sup> day of July, 2016:

Daniel C. Marotta  
Gabor & Marotta LLC  
1878 Victory Boulevard  
Staten Island, NY 10314

  
\_\_\_\_\_  
Scott W. Johnston