

ESTTA Tracking number: **ESTTA37787**

Filing date: **07/06/2005**

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

Proceeding	92044052
Party	Plaintiff MAITAKE PRODUCTS, INC ,
Correspondence Address	STEPHEN M. O'NEILL DAMON & MOREY LLP 1000 CATHEDRAL PLACE, 298 MAIN STREET BUFFALO, NY 14202-4096
Submission	Withdrawal of Cancellation
Filer's Name	Stephen M. O'Neill
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Signature	/Stephen M. O'Neill/
Date	07/06/2005
Attachments	Dismissal of Consolidated Petition to Cancel.pdf (2 pages)

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

MAITAKE PRODUCTS, INC.,

Cancellation No. 92044052

PETITIONER,

v.

Registration Nos. 2851225, 2847926,
2456636, 2305068
and 2149925.

DVM PHARMACEUTICALS, INC.,

REGISTRANT.

DISMISSAL OF CONSOLIDATED PETITION TO CANCEL

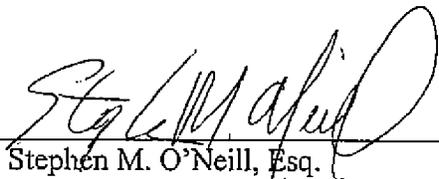
Petitioner, Maitake Products, Inc., hereby dismisses its consolidated petition to cancel in

~~Cancellation No. 92044052, with prejudice.~~

Dated: Buffalo, New York
July 6, 2005

DAMON & MOREY LLP

By: _____


Stephen M. O'Neill, Esq.
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716-856-5500 (Telephone)

*Attorneys for Petitioner
MAITAKE PRODUCTS, INC.*

Respondent, DVM Pharmaceuticals, Inc., hereby consents to the dismissal of the above-referenced Consolidated Petition, with prejudice.

DVM PHARMACEUTICALS, INC.

By: Jennifer E. Simpson 7/01/05
Jennifer E. Simpson/FL Bar No. 0697354
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Attorneys for Registrant

Certificate of Mailing

I hereby certify that this Withdrawal of Consolidated Petition to Cancel is being deposited with the United States Postal Service as first class mail postage prepaid in an envelope addressed to: Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451, on July ____, 2005.

By: _____
Name: Stephen M. O'Neill
Dated: July ____, 2005

Certificate of Service

I hereby certify that on this 6th day of July, 2005, I caused a true copy of the foregoing Withdrawal of Consolidated Petition to Cancel to be served by first-class mail, postage prepaid, upon counsel for Registrant, DVM Pharmaceuticals, Inc., as follows:

James A. Gale, Esq.
Jennifer E. Simpson, Esq.
Feldman Gale, P.A.
201 S. Biscayne Blvd.
Suite 1920
Miami, FL 33131

By: [Signature]
Name: Stephen M. O'Neill
Dated: July 6, 2005