

ESTTA Tracking number: **ESTTA131940**

Filing date: **03/26/2007**

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

Proceeding	92045912
Party	Plaintiff Dell Inc.Dell Inc. Dell Inc. Dell Inc. Dell Inc. One Dell Way Round Rock, TX 78682 UNITED STATES
Correspondence Address	Doreen L. Costa Baker Botts L.L.P. 30 Rockefeller Plaza44th Floor New York, NY 10112-4498 UNITED STATES Dan_Noonan@Dell.com, Paul.Reilly@bakerbotts.com, Doreen.Costa@bakerbotts.com
Submission	Withdrawal of Cancellation
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Signature	/Paul J. Reilly/
Date	03/26/2007
Attachments	Dellv.XeroxWithdrawalXPS.pdf (3 pages)(84606 bytes)

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

In the Matter of Trademark Reg. No. 1,424,688
Trademark: XPS
Registered on January 13, 1987

DELL INC.	-----X	
	:	
Petitioner,	:	
	:	Cancellation No. 94045912
vs.	:	
	:	
XEROX CORPORATION,	-----X	
	:	
Respondent.	:	

**PETITIONER'S NOTICE OF WITHDRAWAL OF
THE PETITION TO CANCEL WITH CONSENT**

Pursuant to 37 C.F.R. §2.114(c), Petitioner, Dell Inc. ("Dell"), through its undersigned counsel of record, hereby withdraws the Petition to Cancel Registration No. 1,424,688 for the mark XPS registered on January 13, 1987.

The withdrawal of the Petition to Cancel Registration No. 1,424,688 is being filed with the written consent of Registrant, Xerox Corporation, through its undersigned counsel of record, and is, hereby withdrawn without prejudice.

Respectfully submitted,

BAKER BOTTS L.L.P.

Dated: March 26, 2007

By:



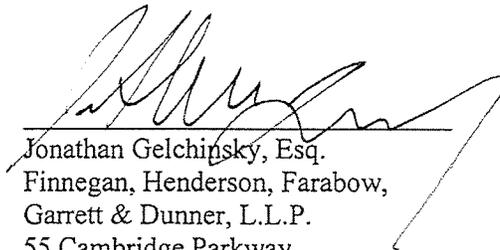
Doreen L. Costa
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Telephone: (212) 408-2500

Attorneys for Petitioner
DELL INC.

Registrant, Xerox Corporation, through its undersigned counsel of record, hereby consents to Dell's withdrawal of the Petition to Cancel Registration No. 1,424,688 without prejudice.

Dated: March 26, 2007

By:


Jonathan Gelchinsky, Esq.
Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
55 Cambridge Parkway
Cambridge, MA 02142-1292
Telephone: (617) 452-1642

Attorneys for Registrant
XEROX CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, a true and correct copy of the foregoing **PETITIONER'S NOTICE OF WITHDRAWAL OF THE PETITION TO CANCEL WITH CONSENT** was served by First-Class mail, postage prepaid, and/or electronic mail upon the Defendant and counsel of record as follows:

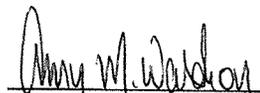
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Dated: March 26, 2007

By:



Amy M. Waldron