

ESTTA Tracking number: **ESTTA578534**

Filing date: **12/23/2013**

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

|                           |  |
|---------------------------|--|
| Proceeding                | 92057609   |
| Party                     | Plaintiff<br>Ginger Ann Scherbarth   |
| Correspondence<br>Address | STACY A COLE<br>GRAYDON HEAD & RITCHEY LLP<br>511 WALNUT ST STE 1900, 1900 FIFTH THIRD CENTER<br>CINCINNATI, OH 45202-3157<br>UNITED STATES<br>scole@graydon.com |
| Submission                | Withdrawal of Cancellation   |
| Filer's Name              | Stacy A. Cole  |
| Filer's e-mail            | scole@graydon.com  |
| Signature                 | /s/ Stacy A. Cole  |
| Date                      | 12/23/2013   |
| Attachments               | ANOVIA - Dismissal with Prejudice.pdf(98795 bytes )  |

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

In the matter of Trademark Registration No. 3549646

For the mark: ANOVIA

ESTTA

GINGER ANN SCHERBARTH,

Petitioner,

v.

KATHY L. KNAPP,

Registrant.

Cancellation No. 92057609

NOTICE OF DISMISSAL WITH PREJUDICE

Petitioner Ginger Ann Scherbarth ("Scherbarth"), by and through counsel, hereby  
dismisses her Petition for Cancellation with prejudice.

Respectfully Submitted,

/s/ Stacy A. Cole

**Stacy A. Cole** (OH 0080075)

*Counsel for Petitioner*

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**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted to the USPTO Trademark Trial and Appeal Board through ESTTA for filing in the following proceeding:

**Cancellation No. 92057609**  
***Ginger Ann Scherbarth v. Kathy L. Knapp***  
**For the mark: ANOVIA**  
**Registration No. 3549646**

Dated: December 23, 2013

/s/ Stacy A. Cole  
**Stacy A. Cole** (OH 0080075)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing *Notice of Dismissal with Prejudice* was served by e-mail this 23rd day of December, 2013, upon the following:

Kathy L. Knapp  
680 Portage Court  
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/s/ Stacy A. Cole  
**Stacy A. Cole** (OH 0080075)