

ESTTA Tracking number: **ESTTA762238**

Filing date: **08/03/2016**

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

Proceeding	92061895
Party	Plaintiff Proove Biosciences, Inc.
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Attachments	LETTER.pdf(271957 bytes )

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August 3, 2016

## ***VIA ESTTA***

Ms. Millicent Canady  
Paralegal Specialist  
Trademark Trial and Appeal Board  
United States Patent and Trademark Office  
P.O. Box 1451  
Alexandria, VA 22313-1451

**Re: *Proove Biosciences, Inc. v. ProImmune Limited,*  
Cancellation No. 92061895**

Dear Ms. Canady:

I write in response to your notice of July 26, 2016, which states "...Petitioner filed a withdrawal of the petition to cancel with an allegation of Respondent's 'consent' ...".

Petitioner seeks to clarify that the Petitioner's motion for withdrawal filed on July 21, 2016, states "Counsel for ProImmune was notified by email on July 1, 2016, of Petitioner's intent to pursue this motion without prejudice but they have not indicated whether ProImmune will oppose." Hence, Petitioner's motion for withdrawal presented no allegation of Respondent's consent.

On August 2, 2016, the undersigned contacted Ms. Sheryl De Luca, counsel for Respondent, by telephone and confirmed that Respondent opposes Petitioner's motion for withdrawal filed on July 21, 2016.

Under the facts and legal precedent presented in Petitioner's motion for withdrawal, there appears to be a conflict between the cited precedent and Trademark Rule 2.114(c).

Ms. Millicent Canady  
August 3, 2016

Petitioner respectfully requests that Petitioner's motion for withdrawal without prejudice from Cancellation No. 92061895 be granted despite Respondent's refusal to consent.

Respectfully,



Patrick R. Delaney

cc: Counsel of Record