

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

AM

Mailed: February 8, 2016

Cancellation No. 92062653

*CrossFit, Inc.*

*v.*

*5280 Realty, Inc. DBA 5280 Realty*

**By the Trademark Trial and Appeal Board:**

On February 2, 2016, Petitioner filed a withdrawal of the petition to cancel with prejudice.<sup>1</sup> In view thereof, the petition to cancel is dismissed with prejudice.

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<sup>1</sup> Petitioner's withdrawal does not indicate proof of service of a copy of same on registrant, as required by Trademark Rule 2.119. A copy of the withdrawal can be viewed using TTABVUE at <http://ttabvue.uspto.gov>.

Petitioner's notice of appearance, filed February 2, 2016 is noted and made of record. The Board also notes that in the Board's January 22, 2016 order, respondent's counterclaim was given no consideration.