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Filing date: **09/28/2010**

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

Proceeding	77769089
Applicant	MB Max, Inc.
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Submission	Request to Withdraw Appeal
Attachments	BOS-#1434043-v1-Request_to_Withdraw_Appeal_-_BLACK_FIG.pdf (1 page) (82211 bytes)
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Date	09/28/2010

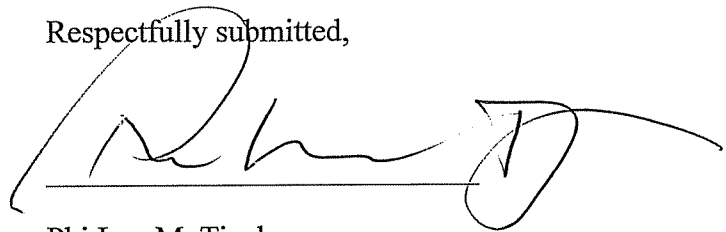
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No.: 77/769,089
Filed: June 26, 2009
Applicant: MB Max, Inc.
Mark: BLACK FIG
Examining Attorney: Maria-Victoria Suarez
Law Office: 102

**APPLICANT'S REQUEST TO WITHDRAW APPEAL OF
REFUSAL TO REGISTER**

MB Max, Inc. ("Applicant") hereby submits this request to withdraw its ex parte appeal filed in connection with the above-captioned mark (the "Mark"). Applicant plans to abandon the Mark and therefore is not filing an appeal brief. Applicant understands that under § 1211 of the Trademark Trial and Appeal Board Manual of Procedure abandonment of an application during an ex parte appeal to the Board will not, during any proceeding in the Office, affect Applicant's rights in the Mark that is the subject of the abandoned application. Therefore, without conceding the issue of whether the Mark is registrable, Applicant respectfully withdraws its appeal.

Respectfully submitted,



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Dated: September 28, 2010