

*TTAB*

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U.S. Patent & TM Mail Rcpt. Dt. #57  
09-20-2002

September 20, 2002

**EXPRESS MAIL LABEL NO. EL924815336US**

Box TTAB No Fee  
United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, VA 22202-3513

Re: United States Trademark Opposition No. 123,883  
Mark: MISCELLANEOUS DESIGN (Serial No. 75/907,844)  
Applicant: Ralcorp Holdings, Inc.  
Our Reference Number: C21515/112348

Sir:

We are enclosing papers on behalf of applicant Ralcorp Holdings, Inc., for the above-referenced trademark application. The papers are:

1. Certificate of Express Mailing;
2. Transmittal letter (1 page, in duplicate);
3. Stipulation of Withdrawal of Opposition (With Consent) (in triplicate);
4. Return postcard.

It is our understanding that no fee is required; however, if we are mistaken, please charge any fee to Deposit Account No. 02-4467.

Kindly date-stamp and return the enclosed self-addressed, stamped postcard.

Respectfully submitted,

Roxana Wizorek

RW/ndc

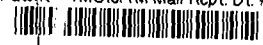
Enclosures

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

U.S. Patent / TMOtc/TM Mail Rpt. Dt. #57



09-20-2002

KELLOGG COMPANY,

Opposer,

v.

RALCORP HOLDINGS, INC.,

Applicant

OPPOSITION NO. 123,883

Appl. Serial No.: 75/907,844

Mark: MISCELLANEOUS FELINE DESIGN

02 NOV 20 AM 11:30  
TRADEMARK TRIAL AND APPEAL BOARD

**STIPULATION OF**  
**WITHDRAW OF OPPOSITION (WITH CONSENT)**

In view of a settlement agreement entered into between the parties, Opposer, Kellogg Company, withdraws, without prejudice and with Applicant's consent, its Opposition to Application Serial No. 75/907,844 and the parties herein agree to dismissal of Opposition No. 123,883.

KELLOGG COMPANY

RALCORP HOLDINGS, INC.

By:

*John W. Marsh, Jr.*

John W. Marsh, Jr.  
Kellogg Company  
One Kellogg Square,  
P.O. Box 3599  
Battle Creek, MI 49016-3599  
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By:

*L. Michael Mullen*

L. Michael Mullen  
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Phone: (314) 877-7102

Dated: September 20, 2002

Dated: 9-20-02

Attorney Docket No.: C21515/112348  
Express Mail No: EL924815336US

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

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KELLOGG COMPANY, ) )  
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Opposer, ) )  
 ) )  
v. ) )  
 ) )  
RALCORP HOLDINGS, INC., ) )  
 ) )  
Applicant. ) )  
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Opposition No. 123,883  
U.S. App. Serial No. 75/907,844  
Mark: MISCELLANEOUS DESIGN

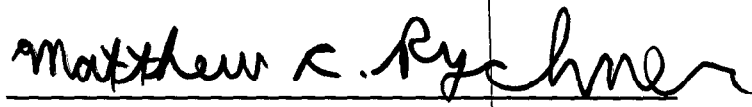
**CERTIFICATE OF EXPRESS MAILING**

**“Express Mail” Mailing Label No.: EL924815336US**  
**Date of Deposit: September 20, 2002**

**I hereby certify that the following:**

- **This Certificate of Express Mailing;**
- **Transmittal letter (1 page, in duplicate);**
- **Stipulation of Withdrawal of Opposition (With Consent) (in triplicate);**
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are being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 CFR Section 1.10 on the Date of Deposit indicated above in an envelope addressed to the United States Patent and Trademark Office, Trademark Trial and Appeal Board - No Fee, 2900 Crystal Drive, Arlington, Virginia 22202-3513.



Type Name: Matthew C. Rychner  
Signature of Person Making Deposit

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