

ESTTA Tracking number: **ESTTA27095**

Filing date: **03/01/2005**

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


<b>Proceeding</b>	91125316
<b>Party</b>	Plaintiff OMS INVESTMENTS, INC. ,
<b>Correspondence Address</b>	WILLIAM H. OLDACH III VORYS, SATER, SEYMOUR AND PEASE LLP. 1828 L STREET, NW 11TH FLOOR WASHINGTON, DC 20036
<b>Submission</b>	Withdrawal of Opposition
<b>Filer's Name</b>	William H. Oldach III
<b>Filer's e-mail</b>	wholdach@vssp.com
<b>Signature</b>	/william h. oldach iii/
<b>Date</b>	03/01/2005
<b>Attachments</b>	stip.pdf ( 3 pages )

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

OMS INVESTMENTS, INC., )  
)  
Opposer, )  
)  
v. ) **Opposition No. 91125316**  
) **For Serial No.: 76/250,740**  
)  
PERKY –PET PRODUCTS COMPANY, )  
)  
Applicant. )

**STIPULATED DISMISSAL WITHOUT PREJUDICE**

Opposer, OMS Investments, Inc., and Applicant, Perky-Pet Products Company, by their undersigned counsel, hereby state that they have reached a settlement in the above-referenced opposition and jointly stipulate that the above-referenced Opposition be dismissed without prejudice.

  
Cory M. Amron  
William H. Oldach III  
Vorys, Sater, Seymour and Pease, LLP  
1828 L Street, NW, 11<sup>th</sup> Floor  
Washington, DC 20036  
(202) 467-8800  
(202) 467-8900 fax

COUNSEL FOR OPPOSER

\_\_\_\_\_  
Timothy J. Martin  
9250 W. 5<sup>th</sup> Avenue  
Suite 200  
Lakewood, Colorado 80226

COUNSEL FOR APPLICANT

Dated: 3/1/05

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

OMS INVESTMENTS, INC., )  
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 v. )  
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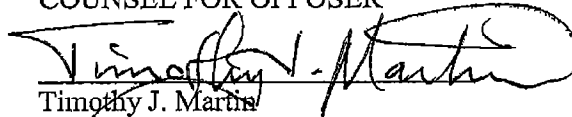
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Lakewood, Colorado 80226


COUNSEL FOR APPLICANT

Dated: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 1<sup>st</sup> day of March, 2005, a copy of the foregoing Stipulated Dismissal Without Prejudice was mailed, first class and postage pre-paid, to:

Timothy J. Martin  
9250 W. 5<sup>th</sup> Avenue  
Suite 200  
Lakewood, Colorado 80226

  
\_\_\_\_\_  
William H. Oldach III