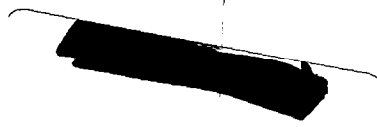


TTAB



12-02-2002

Kenneth

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #26

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HAYES SIMPSON GREENE LLP

"Express Mail" mailing label number: EL403106237US

Date of Deposit: 12/2/02

I hereby certify that this paper or fee is being deposited with the United Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner of Trademarks, Box TTAB - No Fee, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Typed or Printed Name of Person Mailing Paper or Fee: Maggie Corby

Signature: M. Corby

December 2, 2002

Clara Vela, Legal Assistant
BOX TTAB - NO FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

December 12, 2002

Our File No.: 2179.02

Re: Opposition Numbers 91153131 and 91153132
Application Serial Number 75852382

Dear Ms. Vela:

We enclose the jointly-signed Consents to Withdraw Application No. 75852382, the subject of the Oppositions to Registration as referenced above.

Therefore, please abandon the Application and dismiss the Oppositions without prejudice, pursuant to 37 CFR 2.135. As all Opposing parties have consented to the withdrawal of this Application, judgment shall not be entered against the Applicant. See, TBMP 602.01, last paragraph at page 600-6.

Thank you for your attention to this matter. Please do not hesitate to call should you have any questions or if we may be of any assistance to you.

Very truly yours,

Kenneth R. Wright
Enclosure

K

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

Opposition No. 91153132
Serial No. 75852382

WITHDRAWAL OF APPLICATION FOR
TRADEMARK REGISTRATION, SERIAL
NO. 75852382, WITH CONSENT

adidas-Soloman AG and adidas
America, Inc.

v.

Evolution International, LLC

WITHDRAWAL OF APPLICATION FOR TRADEMARK REGISTRATION,
SERIAL NO. 75852382, WITH CONSENT

Applicant Evolution International, LLC, hereby withdraws its Application for Trademark
Registration, Serial No. 75852382, pursuant to 37 C.F.R. § 2.135.

Opposers, adidas-Soloman AG, and adidas America, Inc., through its counsel, John
Zaccaria, Esq., consent to this withdrawal.

Attorneys for Applicant/Defendant
Evolution International, LLC

By: 

Kenneth R. Wright
Hayes Simpson Greene LLP
600 W. Broadway, Suite 400
San Diego, CA 92101

Dated: December 2, 2002

Attorneys for Opposers/Plaintiffs
adidas-Soloman AG adidas America, Inc.

By: 

John Zaccaria
Notaro & Michalos P.C.
100 Dutch Hill Road, Suite 100
Orangeburg, NY 10962-2100

Dated: December 2, 2002

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

Opposition No. 91153131
Serial No. 75852382

WITHDRAWAL OF APPLICATION FOR
TRADEMARK REGISTRATION, SERIAL
NO. 75852382, WITH CONSENT

Esprit IP Limited

v.

Evolution International, LLC

WITHDRAWAL OF APPLICATION FOR TRADEMARK REGISTRATION,
SERIAL NO. 75852382, WITH CONSENT

Applicant Evolution International, LLC, hereby withdraws its Application for Trademark

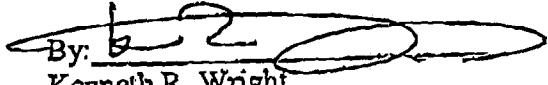
Registration, Serial No. 75852382, pursuant to 37 C.F.R. § 2.135.

Opposer, Esprit IP Limited, through its counsel, Lisa Pearson, Esq., consents to this

withdrawal.


Attorneys for Applicant/Defendant
Evolution International, LLC

Dated: December 2, 2002

By: 
Kenneth R. Wright
Hayes Simpson Greene LLP
600 W. Broadway, Suite 400
San Diego, CA 92101

Attorneys for Opposer/Plaintiff
Esprit IP Limited

Dated: December 2, 2002

By: 
Lisa Pearson, Esq.
Fross Zelnick Lehman & Zissu, P.C.
866 United Nations Plaza
First Avenue & 48th Street
New York, New York 10017

CERTIFICATE OF SERVICE

I, Maggie Corby, certify that a copy of the foregoing WITHDRAWAL OF APPLICATION FOR TRADEMARK REGISTRATION, SERIAL NO. 75852382, WITH CONSENT was served today on the person(s) listed below by first class mail, postage prepaid, in an envelope addressed as follows:

Angelo Notaro
John Zaccaria
Notaro & Michalos P.C.
100 Dutch Hill Road, Suite 100
Orangeburg, NY 10962-2100

Dated: December 2, 2002



Maggie Corby

CERTIFICATE OF MAILING

I, Maggie Corby, certify that the foregoing WITHDRAWAL OF APPLICATION FOR TRADEMARK REGISTRATION, SERIAL NO. 75852382, WITH CONSENT has been deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed as follows:

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Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Dated: December 2, 2002



Maggie Corby

CERTIFICATE OF SERVICE

I, Maggie Corby, certify that a copy of the foregoing WITHDRAWAL OF APPLICATION FOR TRADEMARK REGISTRATION, SERIAL NO. 75852382, WITH CONSENT was served today on the person(s) listed below by first class mail, postage prepaid, in an envelope addressed as follows:

Lisa Pearson, Esq.
Fross Zelnick Lehrman & Zissu, P.C.
866 United Nations Plaza
First Avenue & 48th Street
New York, New York 10017
Tel: (212) 813-5900
Fax: (212) 813-5901

Dated: December 2, 2002

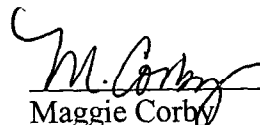

Maggie Corby

CERTIFICATE OF MAILING

I, Maggie Corby, certify that the foregoing WITHDRAWAL OF APPLICATION FOR TRADEMARK REGISTRATION, SERIAL NO. 75852382, WITH CONSENT has been deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed as follows:

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Maggie Corby