

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

KSK

Mailed: March 22, 2004

Opposition No. 91154623

Automotive Racing
Products, Inc.

v.

XRP, Inc.

On October 9, 2003, the Board issued a notice of default and allowed applicant time in which to show cause why judgment should not be entered against applicant for failure to file an answer. Applicant responded on November 10, 2003.

By its response, applicant states that opposer filed a withdrawal of the opposition prior to applicant's answer being due. Attached to applicant's response is a copy of opposer's withdrawal and the postcard returned to opposer with the USPTO's mailroom date stamp. In view thereof, the October 9, 2003 order is vacated.

Opposer's withdrawal of the opposition filed July 2, 2003 is noted. Because no answer is of record, the opposition is dismissed without prejudice. See Trademark Rule 2.106(c).

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