

Attorney's Docket No.: 13759-008PPI

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

In the matter of Application Serial No. 78/094,618
For the mark "HOT HOT HOT DONUTS" (cl. 30)
Published in the Official Gazette on December 10, 2002



HDN Development Corporation,

Opposer,

v.

William M. Windsor d/b/a Hotties Donuts,

Applicant

Opposition No. 91156224

06-23-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

03 JUN 27 AM 9:31

TRADEMARK TRIAL AND APPEAL BOARD

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

NOTICE OF WITHDRAWAL OF APPLICATION

Applicant William M. Windsor (d/b/a Hotties Donuts), through his attorneys, hereby notifies the Board that on June 16, 2003 he withdrew Application Serial No. 78/094,618, as shown on Exhibit A. Opposer HDN Development Corporation has consented to the withdrawal of the application without prejudice, as shown on Exhibit B.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

6/20/03

Date of Deposit

Paul Giragos

Signature

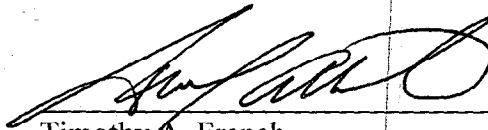
Paul Giragos

Typed or Printed Name of Person Signing Certificate

Respectfully submitted,

Dated:

June 20, 2003




Timothy A. French
FISH & RICHARDSON P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Tele.: (617) 542-5070
Fax: (617) 542-8906

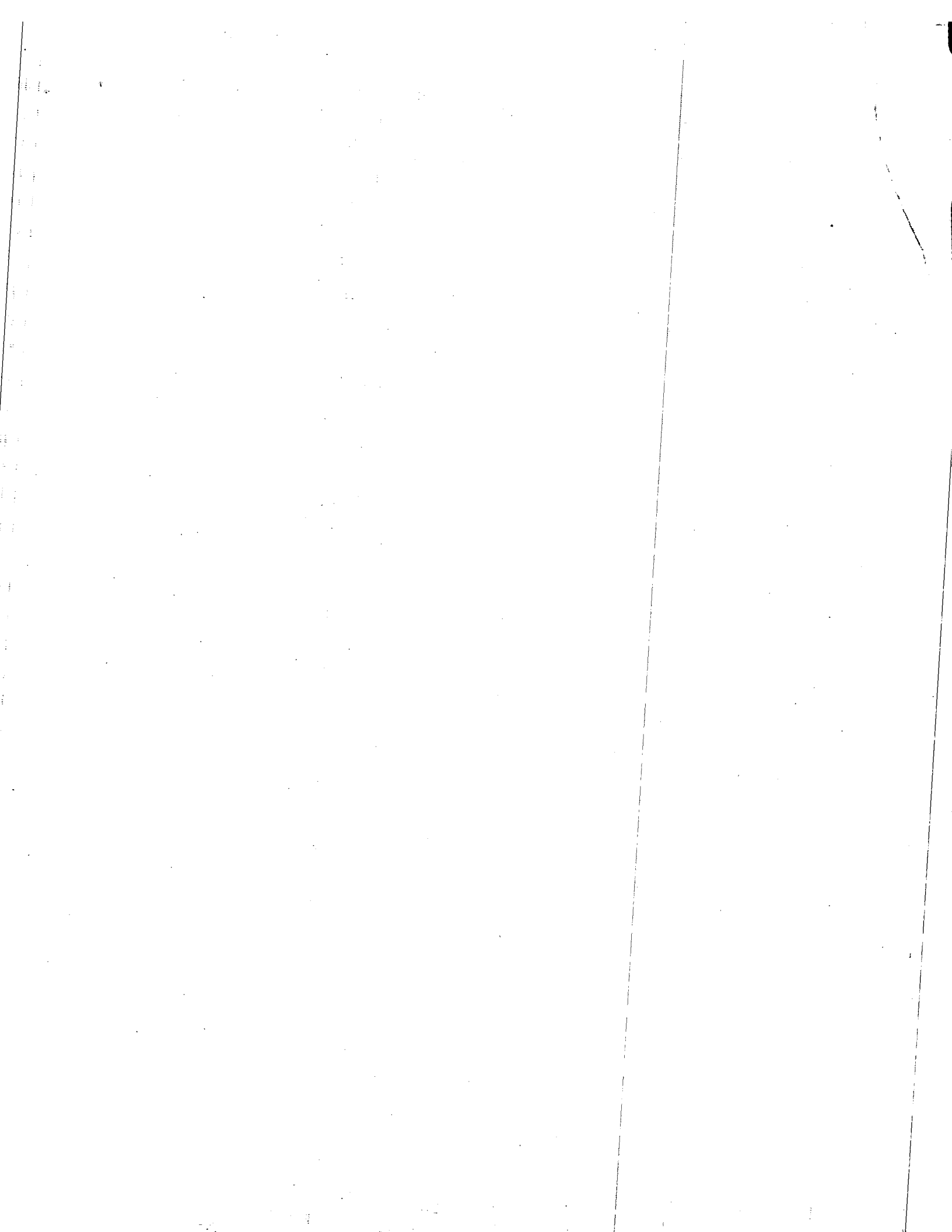
Attorneys for Applicant,
William M. Windsor d/b/a Hotties Donuts

CERTIFICATE OF SERVICE

I hereby certify that this Notice of Withdrawal of Application is being deposited with the United States Postal Service as First Class Mail on June 20, 2003, addressed to:

William M. Bryner
KILPATRICK STOCKTON LLP
1001 West Fourth Street
Winston-Salem, NC 27101


Timothy A. French



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : William M. Windsor (d/b/a Law Office : 103
Hotties Donuts) Examiner : C. Pendelton Cataldo
Serial No. : 78/094,618
Filed : November 21, 2001
Mark : HOT HOT HOT DONUTS (cl. 30)

BOX Responses – No Fee
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

WITHDRAWAL OF APPLICATION

Pursuant to 37 C.F.R. §2.68, Applicant hereby expressly abandons this application
without prejudice.

This application is the subject of Opposition No. 91156224. Consent to abandonment has
been requested from Opposer in that proceeding.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being
deposited with the United States Postal Service as first class mail with
sufficient postage on the date indicated below and is addressed to the
Commissioner for Trademarks, 2900 Crystal Drive, Arlington,
VA 22202-3514.

Date of Deposit

June 16, 2003

Signature

Sean Sciandra
Sean Sciandra

Typed or Printed Name of Person Signing Certificate

Applicant : William M. Windsor (d/b/a
Hotties, Inc.)
Serial No. : 78/094,618
Filed : November 21, 2001
Page : 2


TRADEMARK
Attorney's Docket No.: 13759-008001

Any credits or charges should be directed to Deposit Order Account 06-1050 (13759-008001).

Respectfully submitted,

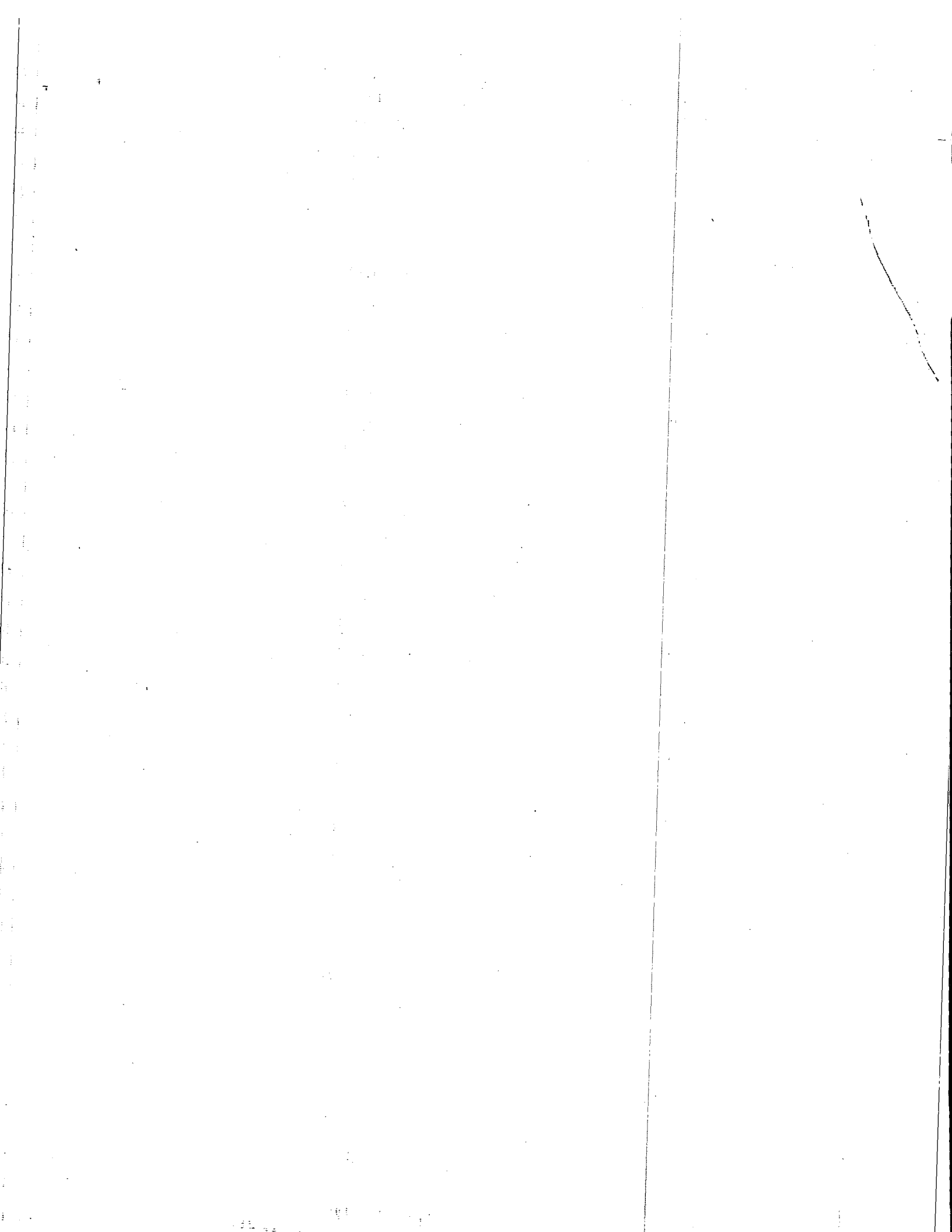
Date: _____

June 16, 2003



Timothy A. French
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

Attorneys for Applicant,
WILLIAM M. WINDSOR (D/B/A HOTTIES
DONUTS)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : William M. Windsor (d/b/a Hotties Donuts) Law Office : 103
Examiner : C. Pendelton Cataldo
Serial No. : 78/094,618
Filed : November 21, 2001
Mark : HOT HOT HOT DONUTS (cl. 30)

BOX Responses – No Fee
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

OPPOSER'S CONSENT TO WITHDRAWAL OF APPLICATION

The undersigned is attorney for the Opposer in Opposition No. 91156224, concerning the above application.

Pursuant to 37 C.F.R. §2.135, Opposer hereby consents to the abandonment of this application by Applicant without prejudice.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3514.

6/20/03

Date of Deposit

Signature

William M. Bryner

Typed or Printed Name of Person Signing Certificate


Applicant William M. Windsor (d/b/a
Hotties, Inc.)
Serial No. 78/094,618
Filed November 21, 2001
Page 2

TRADEMARK
Attorney's Docket No.: 13759-008001

Respectfully submitted,

Date: _____

6/30/03



George L. Little
William M. Bryner

KILPATRICK STOCKTON LLP
1001 West Fourth Street
Winston-Salem, NC 27101
Telephone: (336) 607-7300

Attorneys for Opposer,

HDN DEVELOPMENT CORPORATION

FISH & RICHARDSON P.C.

TTAB

225 Franklin Street
Boston, Massachusetts
02110-2804

Telephone
617 542-5070

Facsimile
617 542-8906

Web Site
www.fr.com

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951



06-23-2003

U.S. Patent & TMO/TM Mail Rpt Dt. #22

June 20, 2003

Box TTAB – FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Opposition No. 91156224
HDN Development Corp. v. William M. Windsor d/b/a Hotties Donuts

Trademark: "HOT HOT HOT DONUTS" (cl. 30)
Serial No. 78/094,618
Our Ref: 13759-008PP1



BOSTON
DALLAS

DELAWARE
NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Sir or Madam:

Enclosed herewith please find a Notice of Withdrawal of Application for the mark referenced above.

Please charge any additional fees or make any credits to Deposit Account No. 061050.

Very truly yours,

Timothy A. French

Enclosure

cc: William M. Bryner, Kilpatrick Stockton LLP

03 JUN 27 11 09 AM '03
TRADEMARK TRIAL AND APPEAL DIVISION

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

June 20, 2003
Date of Deposit

Signature

Paul Giragos
Typed or Printed Name of Person Signing Certificate