

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

cv

Mailed: November 23, 2004

Opposition No. 91156231

Blue Stuff, Inc.

v.

Nutrition & Fitness, Inc.

Opposer, without the written consent of applicant, filed a withdrawal of the opposition on September 29, 2004.

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice.

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