

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

Baez

Mailed: March 22, 2005

Opposition No. 91157919

MARTHA STEWART LIVING  
OMINIMEDIA, INC.  
v.

AMERICAN PUBLISHING, LLC and  
MARS ADVERTISING COMPANY,  
INC.

Opposer, without the written consent of applicant, filed a withdrawal of the opposition on January 27, 2005.

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.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