

ESTTA Tracking number: **ESTTA9648**

Filing date: **06/04/2004**

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

Proceeding	91158657
Party	Defendant VILLAGE CANDLE INC. VILLAGE CANDLE INC. 65 TOPSHAM FAIR MALL RD. TOPSHAM, ME 04086
Correspondence Address	KEVIN R HALEY BRANN & ISAACSON 184 MAIN STREET PO BOX 3070 LEWISTON MAI, NE 04243-3070
Submission	Stipulated Abandonment of Application and Withdrawal of Opposition
Filer's Name	Kevin R. Haley
Filer's e-mail	khaley@brannlaw.com, afillion@brannlaw.com
Signature	/Kevin R. Haley/
Date	06/04/2004
Attachments	Village Home Abandonment.pdf (2 pages)

Certificate of Transmission

I hereby certify that this paper is being transmitted to the United States Patent and Trademark Office, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514, on:

Date of Transmission: 6/3/04
Signature: _____
Date of Signature: 6/3/04

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

In the matter of Application Serial No. 76/354824
Filed on January 7, 2002
For the Mark VILLAGE HOME (& Design)

Published in the *Official Gazette (Trademarks)* on May 28, 2003

VILLAGE HOMES OF COLORADO, INC.
Opposer,

v.

Opposition No. 91158657

VILLAGE CANDLE, INC.
Applicant.

Box TTAB NO FEE

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Stipulated Abandonment of Application and Withdrawal of Opposition

Opposer, Village Homes of Colorado, Inc., and Applicant, Village Candle, Inc., by and through its attorneys, hereby stipulate and agree as follows:

1. Applicant, with the consent of Opposer, hereby expressly abandons and withdraws its application, Serial No. 76/354824, to register the mark, VILLAGE HOME, pursuant to Trademark Rule 2.135, 37 C.F.R. § 2.135, without prejudice.
2. Opposer, with the consent of Applicant, hereby withdraws the present opposition, Opposition No. 91158657, pursuant to Trademark Rule 2.106(c), 37 C.F.R. § 2.106(c), without prejudice.

SO STIPULATED AND AGREED:

VILLAGE HOMES OF COLORADO, INC.

Opposer

By: 

Sabrina C. Stavish, Esq.
Miriam D. Trudell, Esq.
SHERIDAN ROSS P.C.
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Attorney for Opposer

Dated: 5/25/04

VILLAGE CANDLE, INC.

Applicant

By: 

Kevin R. Haley, Esq.
BRANN & ISAACSON
184 Main Street
Lewiston, Maine 04240
(207) 786-3566

Attorney for Applicant

Dated: 6/3/04

Certificate of Service

I hereby certify that on 6/3/04, I filed the foregoing using the ESTTA system and deposited a copy in the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to:

Sabrina C. Stavish, Esq.
Miriam D. Trudell, Esq.
SHERIDAN ROSS P.C.
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141

By: 

Kevin R. Haley, Esq.

BRANN & ISAACSON
184 Main Street
Lewiston, Maine 04240
(207) 786-3566