

# TTAB

Attorney Docket No. 82099  
Account No. 23685

## TRANSMITTAL LETTER

In re the application of: Grasshopper Tree & Landscape, Inc.  
Serial No. 76/523,111  
Opposition No. 91161344  
Mark: GRASSHOPPER TREE AND LANDSCAPE

Tracking No. ESTTA159400

United States Patent and Trademark Office  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

Dear Sir or Madam:

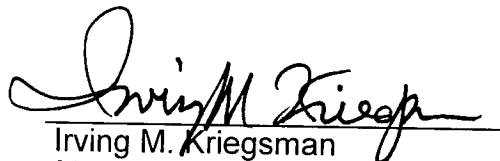
Transmitted herewith for the above-identified trademark application are the following:

A copy of a Withdrawal of Application With Consent signed by Clinton G. Newton,  
Attorney for Opposer  
A Certificate of Service  
A return postcard

If checked, the following item is applicable:

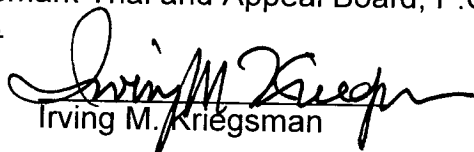
Please charge any fees or costs not accounted for to Deposit Account No. 11-1755.


Date: October 16, 2007

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, VA 22313-1451 on October 16, 2007.

  
Irving M. Kriegsman

  
10-18-2007

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

Proceeding.	91161344
Applicant	Plaintiff Moridge Manufacturing, Inc.
Other Party	Defendant Grasshopper Tree & Landscape, Inc.

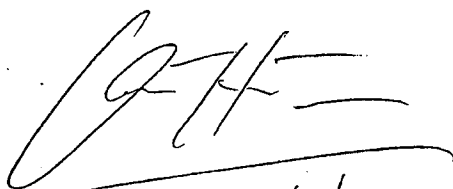
**Withdrawal of Application with Consent**

As the parties have entered into a Settlement Agreement, and in accordance therewith, Applicant GRASSHOPPER TREE & LANDSCAPE, INC., through its undersigned attorney, hereby expressly abandons application Serial No. 76/523,111 for the mark GRASSHOPPER TREE & LANDSCAPE INC., pursuant to 37 C.F.R. § 2.68. Pursuant to 37 C.F.R. § 2.135, Applicant has secured the written consent of Opposer MORIDGE MANUFACTURING, INC.

**Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by email (by agreement only) on this date.

Respectfully submitted,  
/Irving M. Kriegsman/  
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7/27/2007



Clinton G. Newton  
Attorney for Opposer

10/9/07

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Withdrawal of Application With Consent has been served on this 16<sup>th</sup> day of October, via first class mail, postage prepaid, to Clinton G. Newton, Esq. Of Shook, Hardy & Bacon L.L.P. at 2555 Grand Blvd., Kansas City, MO 64108-2613.

  
Irving M. Kriegsman