ESTTA Tracking number: **ESTTA296468**

Filing date: **07/21/2009**

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

Proceeding	91166858
Party	Plaintiff Winn Incorporated
Correspondence Address	ELENORE NIU KNOBBE, MARTENS, OLSON & BEAR, LLP 2040 MAIN STREET, FOURTEENTH FLOOR IRVINE, CA 92614 UNITED STATES whiteheads@gtlaw.com, lengemannc@gtlaw.com, lzadra-symes@kmob.com
Submission	Withdrawal of Opposition
Filer's Name	Lynda J. Zadra-Symes
Filer's e-mail	efiling@kmob.com
Signature	/Lynda J. Zadra-Symes/
Date	07/21/2009
Attachments	WINN.188M.pdf (3 pages)(80005 bytes)

WINN.188M TTAB

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

Winn Incorporated, Opposer, v. Wynn Resorts Holdings, LLC, Applicant.	Opposition No.: 91166858 I hereby certify that this correspondence and all marked attachments are being electronically filed with the Trademark Trial and Appeal Board through their web site located at http://estta.uspto.gov on July 21, 2009 (Date) L. J. Todaro

STIPULATED REQUEST TO AMEND IDENTIFICATION OF GOODS IN TRADEMARK APPLICATION, WHEREIN SETTLEMENT AND DISMISSAL OF THE OPPOSITION ARE CONTINGENT UPON THE ACCEPTANCE OF THE AMENDMENT

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Dear Sir:

Applicant hereby requests that the identification of goods in Application Serial No. 78/522,834 be amended as set forth below. This request is made with the express consent of the Opposer, as is evidenced by Opposer's signature below. Moreover, once the amendment is entered, the parties stipulate to the withdrawal of the Opposition.

AMENDMENT

Applicant hereby requests that the identification of goods in the application and on the drawing page of the application be amended as following:

Golf umbrellas; offered in connection with the trademark owner's golf course pro

shops, casinos, hotels, resorts, resort websites, and resort catalogs only

REMARKS

The proposed amendment of the mark is made in accordance with 37 C.F.R. § 2.133(a) and T.M.E.P. §605.03(b). As the amendment is clearly a limitation on the identification of goods and as Opposer has consented to the amendment, Applicant submits the amendment is proper.

Finally, as indicated above, the parties have agreed to dismiss the opposition once the amendment is entered.

Greenberg Traurig

Dated 11 June 2009 By: _____

F. Christopher Austin
3773 Howard Hughes Parkway,
Las Vegas, NV 89109
Attorney for Applicant,
Wynn Resorts Holdings, LLC

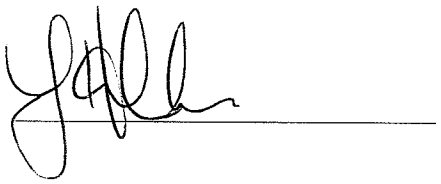
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated June 11, 2009 By: _____

Lynda J. Zadra-Symes
2040 Main Street, Fourteenth Floor
Irvine, CA 92614
Attorney for Opposer,
Winn Incorporated

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **STIPULATED REQUEST TO AMEND IDENTIFICATION OF GOODS IN TRADEMARK APPLICATION, WHEREIN SETTLEMENT AND DISMISSAL OF THE OPPOSITION ARE CONTINGENT UPON THE ACCEPTANCE OF THE AMENDMENT** upon Opposer's counsel by depositing one copy thereof in the United States Mail, first-class postage prepaid, on July 21, 2009 addressed as follows:

F. Christopher Austin
3773 Howard Hughes Parkway,
Las Vegas, NV 89109