

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

vwhite

Mailed: February 7, 2008

Opposition No. 91168805

Focused Health Solutions,  
Inc.

v.

Health Solutions of Morton,  
LLC

Opposer, without the written consent of applicant, filed a withdrawal of the opposition on February 7, 2008.<sup>1</sup>

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.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

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<sup>1</sup> The Board notes that opposer's withdrawal filed on February 7, 2008 does not indicate proof of service upon applicant as required by Trademark Rule 2.119. In order to expedite matters, a copy of opposer's February 7, 2008 withdrawal is forwarded to applicant with its copy of the instant order.

