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Filing date: **11/19/2008**

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

Proceeding	91174969
Party	Defendant Craig Dieffenbach
Correspondence Address	KEVIN G. SMITH SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE N.W. WASHINGTON, DC 20037-3213 UNITED STATES ksmith@sughrue.com
Submission	Response to Board Order/Inquiry
Filer's Name	Kevin G. Smith
Filer's e-mail	vmullineaux@sughrue.com, ksmith@sughrue.com
Signature	/Kevin G. Smith/
Date	11/19/2008
Attachments	801050 - Notice re Final Disposition of Civil Litigation - WorkSite Acrobat Integration.pdf ( 4 pages )(112303 bytes )

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

In re the Matter of Application Serial No. 78/781902  
Mark Opposed: HENDRIX ELECTRIC & Design

_____	)	
WILLIAM GRANT & SONS, INC.,	)	
	)	
Opposer,	)	
	)	
v.	)	Opposition No. 91/174969
	)	
DIEFFENBACH, CRAIG,	)	
	)	
Applicant.	)	
_____	)	

**APPLICANT'S NOTICE TO BOARD REGARDING  
FINAL DISPOSITION OF CIVIL LITIGATION  
UPON WHICH SUSPENSION IS BASED**

NOW COMES counsel for Applicant to advise the Trademark Trial and Appeal Board regarding the status of the civil litigation, *Experience Hendrix, LLC, et al. v. Electric Hendrix, LLC, et al.*, Case No. 2:07-cv-00338-TSZ, which action serves as a basis for suspension of the above-captioned opposition proceeding.

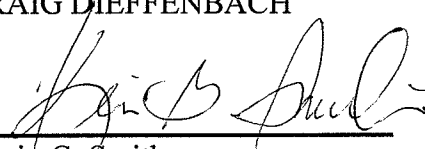
The Board is advised that a Judgment and Permanent Injunction has been issued in the civil litigation. Pursuant to the Court Order in that case, the involved application, Serial No. 78/781902, has been expressly abandoned. A copy of Applicant's Express Abandonment of Applications submitted in Consolidated Opposition No. 91175596 pertaining to the identical application is attached hereto.

In view of the fact that Applicant has abandoned Application Serial No. 78/781902,  
Applicant respectfully requests that the Trademark Trial and Appeal Board dismiss Opposition  
No. 91174969.

Respectfully submitted,

CRAIG DIEFFENBACH

By:

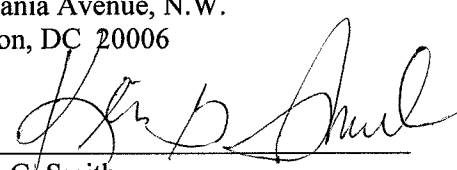
  
Kevin G. Smith  
Jody H. Drake  
Gary D. Krugman  
Attorneys for Applicant  
SUGHRUE MION, PLLC  
2100 Pennsylvania Avenue, N.W.  
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T 202.293.7060  
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Date: November 19, 2008.

**CERTIFICATE OF SERVICE**

I, Kevin G. Smith, Esq., hereby certify that on November 19, 2008, a true copy of  
**APPLICANT'S NOTICE TO BOARD REGARDING FINAL DISPOSITION OF CIVIL LITIGATION  
UPON WHICH SUSPENSION IS BASED** was sent via First Class U.S. Mail, postage prepaid to Opposer:

Anthony R. Masiello, Esq.  
Holland & Knight LLP  
2099 Pennsylvania Avenue, N.W.  
Washington, DC 20006

  
Kevin G. Smith

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

In re the Matter of Application Serial No. 78/722859  
Mark Opposed: HENDRIX ELECTRIC VODKA

In re the Matter of Application Serial No. 78/781902  
Mark Opposed: HENDRIX ELECTRIC & Design

In re the Matter of Application Serial No. 78/781875  
Mark Opposed: HENDRIX ELECTRIC

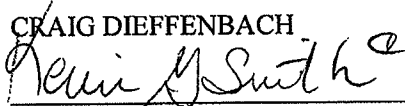
_____	)	
EXPERIENCE HENDRIX, L.L.C.,	)	
	)	
Opposer,	)	
	)	
v.	)	<i>Opposition No. 91/175596 ("parent")</i>
	)	<i>Opposition No. 91/175832</i>
DIEFFENBACH, CRAIG,	)	<i>Opposition No. 91/175935</i>
	)	
Applicant.	)	
_____	)	

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

**EXPRESS ABANDONMENT OF APPLICATIONS**

Applicant, by and through its undersigned counsel, expressly abandons Application Serial No. 78/722859 for the mark HENDRIX ELECTRIC VODKA; Serial No. 78/781902 for the mark HENDRIX ELECTRIC & Design; and Serial No. 78/781875 for the mark HENDRIX ELECTRIC 78/432906, which are all the subject of Consolidated Opposition No. 91175596.

Respectfully submitted,

By: CRAIG DIEFFENBACH  
  
 Kevin G. Smith  
 SUGHRUE MION, PLLC  
 2100 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20037-3202  
 Phone: (202) 775-7566  
 Attorney of Record for Applicant

Dated: November 6, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing EXPRESS ABANDONMENT OF APPLICATIONS, has been served via email (karen@eoplaw.com), and via first class mail, postage prepaid, to counsel of record for Opposer, this 6<sup>th</sup> day of November 2008, to:

Karen Wetherell Davis, Esq.  
Elliott, Ostrander & Preston, P.C.  
707 SW Washington Street, Suite 1500  
Portland, Oregon 97205

A courtesy copy has also been provided to:

John D. Wilson, Jr., Esq.  
Wilson Smith Cochran Dickerson  
1700 Financial Center  
1215 Fourth Avenue  
Seattle, Washington 98161-1007  
(email to Wilson@wscd.com)

  
Valerie L. Mullineaux