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Filing date: **06/09/2009**

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

Proceeding	91176125
Party	Plaintiff National Tobacco Company, L.P.
Correspondence Address	Suzan J. Hixon, Amy B. Berge Greenebaum Doll & McDonald PLLC 3500 National City Tower, 101 South Fifth Street Louisville, KY 40202 UNITED STATES SJH2@gdm.com
Submission	Withdrawal of Opposition
Filer's Name	Suzan J. Hixon
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Date	06/09/2009
Attachments	Notice of Withdrawal of Opposition.pdf (2 pages)(32929 bytes)

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

In the Matter of Application Serial No.: 78/666,753

Applicant: Beech-Nut Nutrition Corporation

Mark: BEECH-NUT

Filed: July 8, 2005

Published: September 12, 2005

Opposition Filed: March 12, 2007

**National Tobacco Company,
L.P.**

Opposer

v.

**Beech-Nut Nutrition
Corporation**


Applicant

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OPPOSITION NO.: 91176125

**NOTICE OF WITHDRAWAL
OF OPPOSITION**

In accordance with Rules of Practice 2.106(c), 37 C.F.R. §2.106(c), and pursuant to agreement between the parties, Opposer, National Tobacco Company, L.P., through its undersigned counsel, hereby expressly withdraws its Notice of Opposition for Trademark Application Serial No. 78/666,753, and requests dismissal of Opposition No. 91176125 without prejudice.

Respectfully submitted,


Suzan J. Hixon
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Counsel for Opposer
National Tobacco Company, L.P.

Dated: June 9, 2009

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing dismissal was served upon the following attorney of record for Applicant in Opposition No. 91176125 by First Class Mail, postage pre-paid, this 9th day of June 2009:

Lance J. Lieberman
Cohen Pontani Lieberman & Pavane LLP
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New York, NY 10176



Suzan J. Hixon