

ESTTA Tracking number: **ESTTA205754**

Filing date: **04/18/2008**

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

Proceeding	91177199
Party	Plaintiff Avaya Inc.
Correspondence Address	Robert W. Smith McCarter & English, LLP Four Gateway Center, 100 Mulberry Street Newark, NJ 07102-4056 UNITED STATES rsmith@mccarter.com, dpopovic@mccarter.com
Submission	Withdrawal of Opposition
Filer's Name	Robert W. Smith
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Date	04/18/2008
Attachments	Avaya v Kozel Withdraw Opp.pdf (2 pages)(49434 bytes)

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

-----X
Avaya Inc.)
)
 Opposer)
 v.) Opposition No. 91177199
)
David Alexander Wilson and Michael Kozel)
)
 Applicant)
-----X

Trademark Trial and Appeal Board
Box 1451
Alexandria, VA 22313-1451

WITHDRAWAL OF OPPOSITION

Opposer, Avaya Inc., hereby withdraws the above-captioned opposition pursuant to the terms of a Settlement Agreement dated March 11, 2008 between the parties.


Applicant, by and through its attorney of record, consents to the withdrawal of this opposition, without prejudice.

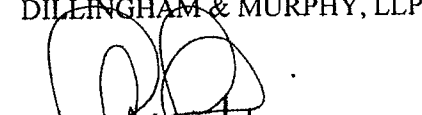
Dated: April 17, 2008

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MCCARTER & ENGLISH LLP

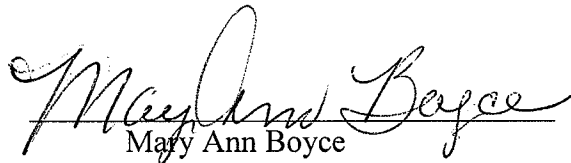
DILLINGHAM & MURPHY, LLP

By: 
Robert W. Smith
Attorney for Opposer
100 Mulberry Street
Four Gateway Center
Newark, NJ 07102

By: 
John J. Camozzi
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CERTIFICATE OF SERVICE

It is hereby certified that a true and correct copy of the foregoing Withdrawal of Opposition, was served by e-mail and first class mail, postage prepaid, on the attorney for Applicant, John J. Camozzi, Dillingham & Murphy LLP, 225 Bush Street, 6 Floor, San Francisco, CA 94101 , on this 18th day of April, 2008.


Mary Ann Boyce