

ESTTA Tracking number: **ESTTA326580**

Filing date: **01/13/2010**

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

<b>Proceeding</b>	91177688
<b>Party</b>	Defendant Brown Shoe Company, Inc.
<b>Correspondence Address</b>	Anthony Martin Blackwell Sanders, LLP 720 Olive Street, Suite 2400 St. Louis, MO 63101 UNITED STATES pto-sl@huschblackwell.com, michelle.alvey@huschblackwell.com, arkadia.delay@huschblackwell.com
<b>Submission</b>	Withdrawal Of Application
<b>Filer's Name</b>	Michelle W. Alvey
<b>Filer's e-mail</b>	michelle.alvey@huschblackwell.com, pto-sl@huschblackwell.com, arkadia.delay@huschblackwell.com, bfs@procopio.com
<b>Signature</b>	/Michelle W. Alvey/
<b>Date</b>	01/13/2010
<b>Attachments</b>	withdrawal.pdf ( 2 pages )(51830 bytes )

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via the Electronic Filing System for Trademark Trial and Appeal Board on January 13<sup>th</sup> 2010.

/s/ Michelle Alvey

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

In the Matter of Application Serial No. 78/923,939 and 78/923,943  
Mark: FEELING GOOD...FEET FIRST  
Filing Date: January 13, 2010

<b>DR.'S OWN, INC.</b>	)	
	)	
<b>Opposer,</b>	)	<b>Opposition No.: 91177688</b>
	)	
<b>v.</b>	)	
	)	
<b>BROWN SHOE COMPANY, INC.</b>	)	
	)	
<b>Applicant.</b>	)	

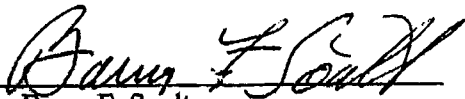
**STIPULATION FOR WITHDRAWAL OF APPLICATION BY APPLICANT  
AND WITHDRAWAL OF OPPOSITION BY OPPOSER**

Applicant Brown Shoe Company, Inc. and Opposer Dr.'s Own, Inc. pursuant to 37 CFR §§ 2.106(c) and 2.135, submit the following stipulation and agreement:

1. The parties stipulate and agree that Application Serial Numbers 78/923,939 and 78/923,943 (the "Applications") shall be withdrawn without prejudice.
2. The parties stipulate and agree that, subject to the Trademark Trial and Appeal Board's acceptance and entry of the withdrawal of Application Serial Numbers 78/923,939 and 78/923,943 as set forth above, Opposition No. 91177688 will be dismissed without prejudice.

Accordingly, Applicant and Opposer hereby jointly request that Application Serial Numbers 78/923,939 and 78/923,943 be withdrawn without prejudice and that Opposition No. 91177688 be dismissed without prejudice.

By:



Barry F. Soalt  
Procopio, Cory, Hargreaves & Savitch LLP  
530 B Street, Suite 2100  
San Diego, CA 92101  
Phone: 619-525-3865  
*Attorney for Dr. 's Own, Inc.*

By:



Michelle W. Alvey  
Husch Blackwell Sanders LLP  
190 Carondelet Plaza, Suite 600  
St. Louis, MO 63105  
Phone: 314-480-1500  
*Attorney for Applicant Brown Shoe  
Company, Inc.*