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Filing date: **12/18/2008**

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

Proceeding	91182962
Party	Plaintiff Crocs, Inc., Ocean Minded, Inc.
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Submission	Withdrawal of Opposition
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Signature	/Marc C. Levy/
Date	12/18/2008
Attachments	91182962 Notice of Withdrawal of Opposition With Prejudice and Consent to Judgment on Counterclaim.pdf ( 3 pages )(6334 bytes )

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

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CROCS, INC. and OCEAN MINDED, INC.

Opposition No. 91182962

Joint Opposers,

v.

OCEAN MOODY CREATIONS, LLC

Applicant.

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**NOTICE OF WITHDRAWAL OF  
OPPOSITION WITH PREJUDICE AND  
CONSENT TO JUDGMENT ON  
COUNTERCLAIM FOR PARTIAL  
CANCELLATION**

In accordance with Trademark Trial and Appeal Board Manual of Procedure ("TBMP") § 601.01, Opposers Crocs, Inc. and Ocean Minded, Inc. hereby withdraw the above-captioned opposition with prejudice, without the consent of the Applicant.

In addition, pursuant to TBMP § 606, Opposers hereby consent to judgment on Applicant's counterclaim for partial cancellation of U.S. Registration No. 2,282,012 to delete the following terms from the description of goods: "t-shirts, sweatshirts, shorts and hats." See Answer & Counterclaim, Relief Requested (April 8, 2008).

Based on these actions, Opposers request that the Board enter judgment dismissing the opposition with prejudice and sustaining the counterclaim for partial cancellation of U.S. Registration No. 2,282,012 to delete the following terms from the description of goods: "t-shirts, sweatshirts, shorts and hats."

Dated: December 18, 2008

Respectfully submitted,

By:                   /Marc C. Levy/                  

Natalie Hanlon-Leh

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Attorneys for Opposers

Cross, Inc. and Ocean Minded, Inc.

Filed Electronically via ESSTA.

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**CERTIFICATE OF SERVICE**

I do hereby certify that on this 18th day of December, 2008, a true and correct copy of the above and foregoing **NOTICE OF WITHDRAWAL OF OPPOSITION WITH PREJUDICE AND CONSENT TO JUDGMENT ON COUNTERCLAIM** was sent via first class mail, postage prepaid, to:

Thomas L. Moses  
Monahan & Moses, LLC  
13-B West Washington St.  
Greenville, SC 29601

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/Joshua A. Smith/