

ESTTA Tracking number: **ESTTA359969**

Filing date: **07/26/2010**

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

Proceeding	91179604
Party	Plaintiff Power Corporation of Canada
Correspondence Address	JENNIFER A. VAN KIRK LEWIS AND ROCA LLP 40 N. CENTRAL AVENUE, SUITE 1900 PHOENIX, AZ 85004 UNITED STATES trademarks@lrlaw.com
Submission	Withdrawal of Opposition
Filer's Name	Emily A. Bayton
Filer's e-mail	trademarks@lrlaw.com
Signature	/EMILY A. BAYTON/
Date	07/26/2010
Attachments	pcc withdraw.pdf ( 3 pages )(113008 bytes )

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

Opposition No. 91179604 )  
Opposition No. 91179928 )  
Power Corporation of Canada )  
v. )  
Power Financial Credit Union )

---

Opposition No. 91187063 )  
Opposition No. 91187065 )  
Power Financial Credit Union )  
v. )  
Power Corporation of Canada )

Marks:

POWER FINANCIAL CREDIT UNION,  
Serial No. 78/973,645  
POWER FINANCIAL CREDIT UNION  
and Design, Ser. No. 77/059,168  
POWER FINANCIAL,  
Serial No. 77/184,192  
POWER FINANCIAL,  
Serial No. 77/184,198

Opposition No. 91187064 )  
Power Financial Credit Union )  
v. )  
Power Corporation of Canada )

Flag Design  
Serial No. 77/184,172

Opposition No. 91187066 )  
Power Financial Credit Union )  
v. )  
Power Corporation of Canada )

POWER FINANCIAL CORPORATION  
Serial No. 77/184,200

Opposition No. 91187067 )  
Power Financial Credit Union )  
v. )  
Power Corporation of Canada )

A MEMBER OF THE POWER  
CORPORATION GROUP OF COMPANIES  
Serial No. 77/184,219

**STIPULATED MOTION TO WITHDRAW WITHOUT PREJUDICE OPPOSITION NOS.  
NOS. 91187063, 91187065, 91187064, 91187066 AND 91187067 AND COUNTERCLAIMS  
TO PETITION TO CANCEL REG. NO. 2,550,156**

The parties in these Opposition proceedings, Power Corporation of Canada, by counsel, and Power Financial Credit Union, by counsel, hereby stipulate to the withdrawal without prejudice of the above-identified Opposition Nos. 91187063 and 91187065 (consolidated into the Parent Opposition No. 91179604), and Opposition Nos. 91187064, 91187066 and 91187067. The parties further stipulate and agree by and between the parties that Applicant/Counterclaimant, Power Corporation of Canada, hereby expressly withdraws its counterclaims to petition to cancel Power Financial Credit Union's federal registration for the mark POWER 1 CREDIT UNION, Reg. No. 2,550,156, in Opposition Nos. 91187063 and 91187065 (consolidated into Parent Opposition No. 91179604), and in Opposition Nos. 91187064, 91187066 and 91187067, without prejudice pursuant to TBMP Rule 601.02 and 37 CFR § 2.114(c).

Approval by the Trademark Trial and Appeal Board is respectfully requested.

STIPULATED AND AGREED TO:

On Behalf of Power Financial Credit Union

Date: July 26, 2010

By: \_\_\_\_\_

Amy L. Waight, Esq.  
Taft Stettinius & Hollister LLP  
One Indiana Square, Suite 3500  
Indianapolis, IN 46204-2023  
Ph: (317) 713-3500

On Behalf of Power Corporation of Canada

Date: July 26, 2010

By: \_\_\_\_\_

Jennifer Van Kirk  
Emily Bayton  
LEWIS AND ROCA LLP  
40 N. Central Avenue, Suite 1900  
Phoenix, Arizona 85004-4429

**CERTIFICATION UNDER 37 C.F.R. 1.8**

I hereby certify that Stipulated Motion to Withdraw Without Prejudice Opposition Nos. 91187063, 91187065 (consolidated under Parent Opposition No. 91179604), and Opposition Nos. 91187064, 91187066 and 91187067 and Stipulated Motion to Withdraw Counterclaims to Cancel Fed. Reg. No. 2,550,156, is being filed electronically with the United States Patent and Trademark Office utilizing the Electronic System for Trademark Trials and Appeals on this 26<sup>th</sup> day of July, 2010.

By:

Kamini