

ESTTA Tracking number: **ESTTA301172**

Filing date: **08/14/2009**

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

| | |
|------------------------|---|
| Proceeding | 91188573 |
| Party | Plaintiff Fitz-Wright Company Ltd. |
| Correspondence Address | Michael J. MacDermott Christie, Parker & Hale, LLP P.O. Box 7068 Pasadena, CA 91109-7068 UNITED STATES pto@cph.com |
| Submission | Withdrawal of Opposition |
| Filer's Name | Michael J. MacDermott |
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| Signature | /Michael J. MacDermott/ |
| Date | 08/14/2009 |
| Attachments | 110.2.2 - Opposer's Conditional Withdrawal of Opposition.pdf (2 pages)(35677 bytes) |

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

In the matter of trademark application **Serial No. 77/420,437**


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|--------------------------|---|
| Fitz-Wright Company Ltd. | Opposition No. 91188573 |
| | |
| Opposer, | |
| v. | OPPOSER'S CONDITIONAL WITHDRAWAL OF OPPOSITION |
| Downwind, Inc. | |
| Applicant. | |

Opposer, Fitz-Wright Company Ltd., hereby withdraws its opposition conditioned upon entry of applicant's amendment of Serial No. 77/420,437 deleting "WETSUITS, RASHGUARD SHORTS AND RASHGUARD SHIRTS" from the identification of goods in Class 25 of the application. The amendment and the withdrawal shall be with prejudice.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

Date August 14, 2009

By 

Michael J. MacDermott
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MM/rm

CERTIFICATE OF MAILING

I certify that on August 14, 2009, the foregoing OPPOSER'S CONDITIONAL WITHDRAWAL OF OPPOSITION is being served by mailing a copy thereof by first-class mail addressed to applicant's attorney of record:

J.B. FROST
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