

ESTTA Tracking number: **ESTTA352292**

Filing date: **06/10/2010**

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

Proceeding	91189728
Party	Plaintiff COLOR IMAGE APPAREL, INC.
Correspondence Address	Richard Sybert/Lindsay Hulley GORDON & REES LLP 101 West Broadway, Suite 1600 San Diego, CA 92101 UNITED STATES Lhulley@gordonrees.com, ipdocket@gordonrees.com, mmims@gordonrees.com, bamato@gordonrees.com
Submission	Withdrawal of Opposition
Filer's Name	Andrew P. Holland
Filer's e-mail	marco@bella.com, aholland@thoits.com, dsettle@thoits.com
Signature	/Andrew P. Holland/
Date	06/10/2010
Attachments	Opposition_no._91189728.pdf ( 3 pages )(83768 bytes )

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

<b>In the Matter of Trademark Application Serial No.: 77533334 Filed: July 29, 2008 Published: December 16, 2008 By: Abinko Digital Studio Inc. For the Trademark: BELLACROFT</b>	)	<b>Opposition No. 91189728</b>
	)	
	)	
	)	
	)	
<b>COLOR IMAGE APPAREL, INC., a California corporation</b>	)	<b>STIPULATED COMBINED DISMISSAL OF OPPOSITION AND COUNTERCLAIM AND WITHDRAWAL OF TRADEMARK APPLICATION</b>
	)	
<b>Opposer,</b>	)	
<b>v.</b>	)	
	)	
<b>ABINKO DIGITAL STUDIO INC., a Florida corporation</b>	)	
	)	
<b>Applicant.</b>	)	
	)	
	)	

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Pursuant to the settlement agreement between the parties, COLOR IMAGE APPAREL, INC. ("CLRI") and ABINKO DIGITAL STUDIO INC. ("ABINKO") hereby stipulate and agree as follows.

1. ABINKO withdraws, without prejudice, its trademark application Serial No. 77533334 for the mark BELLACROFT ("the Trademark Application") in the United States Patent and Trademark Office. CLRI stipulates and agrees to this withdrawal.


2. CLRI dismisses, without prejudice, its opposition to the Trademark Application, Trademark Trial and Appeal Board Proceeding Number 91189728. ABINKO dismisses, without prejudice, its counterclaim to CLRI's opposition to the Trademark Application, Trademark Trial and Appeal Board Proceeding Number 91189728. ABINKO and CLRI stipulate and agree to these dismissals.

ABINKO and CLRI request that the Trademark Trial and Appeal Board enter the

withdrawal and dismissals.

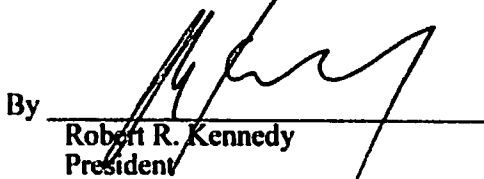
Dated: ~~May~~ <sup>June</sup> 9<sup>th</sup>, 2010  
JUNE

COLOR IMAGE APPAREL, INC.

By   
\_\_\_\_\_  
Marco DeGeorge  
President

Dated: ~~May~~ <sup>June</sup> 8, 2010

ABINKO DIGITAL STUDIO INC.

By   
\_\_\_\_\_  
Robert R. Kennedy  
President



Electronic System for Trademark Trials and Appeals

Withdrawal of Opposition  
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ESTTA v.3.0  
PTO-2151 (Exp. 01/31/2011)  
OMB No. 0651-0040 (Exp. 01/31/2011)

Signature

The request must be signed by the filer. The request will not be "signed" in the sense of a traditional paper document. To sign the request, the signer must enter any combination of printable characters that have been adopted to serve the function of a signature, preceded and followed by the forward slash(/) symbol. Acceptable "signatures" could include: /john doe/; /jd/; and /123-4567/.

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

<b>Proceeding</b>	91189728
<b>Party</b>	Plaintiff COLOR IMAGE APPAREL, INC.
<b>Correspondence Address</b>	Richard Sybert/Lindsay Hulley GORDON & REES LLP 101 West Broadway, Suite 1600 San Diego, CA 92101 UNITED STATES Lhulley@gordonrees.com, ipdocket@gordonrees.com, mmims@gordonrees.com, bamato@gordonrees.com
<b>Submission</b>	Withdrawal of Opposition
<b>Attachments</b>	Opposition_no._91189728.pdf ( 2 pages )(44234 bytes )

Filer Information

Fill in the information below. You will receive an e-mail confirmation of your filing within 24 hours. Your paper will be considered by the Board in due course.

<b>Filer's Signature *</b>	
<b>Filer's Name *</b>	Marco DeGeorge
<b>Filer's E-Mail Address *</b>	marco@bella.com, aholland@thoits.com, d: Note: Multiple e-mail addresses may be provided separated by commas
<b>Date</b>	06/09/2010

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