

**UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451**

Tdc

Mailed: June 3, 2010

Opposition No. 91191924

Dr. Babor GmbH & Co. KG

v.

Appolos, Inc.

Opposer, without the written consent of applicant, filed a withdrawal of the opposition on May 25, 2010.

Trademark Rule 2.106(c) provides that after an answer is filed, the opposition may not be withdrawn without prejudice except with the written consent of applicant.

In view thereof, and because the withdrawal was filed after answer, the opposition is dismissed with prejudice.

***By the Trademark Trial
and Appeal Board***