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

Proceeding	91192554
Party	Defendant MTP Medical Technical Promotion GmbH
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Submission	Other Motions/Papers
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Date	02/28/2012
Attachments	91192554 Stip Withdrawal and Dismissal.pdf ( 3 pages )(184121 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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Cook Incorporated and	:	
Cook Medical Technologies LLC	:	
	:	
Opposers,	:	
Counter-Claim Registrants	:	
	:	
v.	:	Opposition No. 91192554
	:	
MTP Medical Technical Promotion	:	
GmbH	:	
	:	
Applicant,	:	
Counter-Claim Petitioner	:	

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**STIPULATED WITHDRAWAL OF APPLICATION WITH CONSENT  
and  
SIPULATED DISMISSAL IN FAVOR OF SETTLEMENT**

Pursuant to Rule 41 of the Federal Rules of Civil Procedure and Trademark Rules 2.106, 2.114 and 2.135 Opposers/Counter-Claim Registrants Cook Incorporated and Cook Medical Technologies LLC and Applicant/Counter-Claim Petitioner MTP Medical Technical Promotion GmbH hereby stipulate to the following:

1. Applicant/Counter-Claim Petitioner MTP Medical Technical Promotion GmbH withdraws Application Serial No. 77625209 with the consent of Opposers/Counter-Claim Registrants.
2. Opposition No. 91192554 is withdrawn without prejudice, in favor of settlement.

3. Applicant/Counter-Claim Petitioner's Counterclaim Petition to Cancel U.S. Registration No. 1,790,969 is withdrawn with prejudice.

Respectfully submitted,

Marta L. Paul

Vincent O. Wagner  
Marta L. Paul  
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Feb. 27, 2012  
Date

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Feb. 28, 2012  
Date

Attorneys for Applicant/  
Counter-Claim Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **STIPULATED WITHDRAWAL OF APPLICATION WITH CONSENT and SIPULATED DISMISSAL IN FAVOR OF SETTLEMENT** was served by first class mail, postage prepaid, to the following:

Vincent O. Wagner  
Marta L. Paul  
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111 Monument Circle, Suite 3700  
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Feb. 28, 2012

Date



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Joan M. Burnett