ESTTA Tracking number: **ESTTA326895**

Filing date: **01/14/2010**

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

Proceeding	91192945
Party	Plaintiff TBC RETAIL GROUP, INC.
Correspondence Address	MARSHA G. GENTNER JACOBSON HOLMAN PLLC 400 - 7TH STREET, N.W. WASHINGTON, DC 20004 UNITED STATES trademark@jhip.com, mgentner@jhip.com
Submission	Other Motions/Papers
Filer's Name	Marsha G. Gentner
Filer's e-mail	trademark@jhip.com,mgentner@jhip.com
Signature	/Marsha G. Gentner/
Date	01/14/2010
Attachments	King Amend & wd.pdf (1 page)(92141 bytes)

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

TBC RETAIL GROUP, LLC, Opposer, v. KING WAREHOUSING, INC., Applicant.	)	Opposition No. 91192945

REQUEST TO AMEND APPLICATION AND CONDITIONAL WITHDRAWAL OF OPPOSITION

Applicant, King Warehousing, Inc., with the consent of Opposer, hereby requests that its application serial no. 77/712,843 (the "Opposed Application") be amended, to delete "auto parts" from the recitation of services, so that such services would be as follows:

> Wholesale distributorship service featuring clothes, cosmetics, household furnishings, toiletries, cosmetics, children's toys, kitchen tools, cleaners and detergents, cleaning materials, food and ingredients, hardware, locks, packaging and containers paper, pens, pencils and crayons, pottery, glassware and dinnerware, rubber goods, sewing supplies and timepieces.

Conditioned on the acceptance by the Trademark Trial and Appeal Board of the foregoing amendment to the Opposed Application, Opposer hereby withdraws the above-captioned opposition.

Respectfully submitted,

TBC RETAIL GROUP, INC.

By: _____

Marsha G. Gentner
Jacobson Holman PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004
(202) 638-6666
Mgentner@jhip.com

KING WAREHOUSING, INC.

By: _____

Robert J. Kimmer
Litman Law Offices, Ltd.
3717 Columbia Pike
Arlington, VA 22204
(703) 486-1000
Rkimmer@litmanlaw.com