

ESTTA Tracking number: **ESTTA482977**

Filing date: **07/12/2012**

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

Proceeding	91198750
Party	Plaintiff Cargill, Incorporated
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Submission	Other Motions/Papers
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Date	07/12/2012
Attachments	2012 07 12 Sempio Abandonment Withdrawal.pdf ( 3 pages )(130588 bytes )

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

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Cargill, Incorporated,	)	
	)	
	)	Opposition No. 91198750
Opposer,	)	
	)	Mark: FONTANA & Design
vs.	)	
	)	Application Ser. No. 85-022,361
Sempio Food Service, Inc.,	)	
	)	Filed: April 24, 2010
Applicant.	)	
	)	Published: December 28, 2010

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**NOTICE OF EXPRESS ABANDONMENT AND WITHDRAWAL OF OPPOSITION  
WITHOUT PREJUDICE**

Applicant, Sempio Food Service, Inc. ("Applicant"), hereby expressly abandons its U.S. Trademark Application Serial No: 85-022,361.

Opposer, Cargill, Incorporated, through counsel, hereby consents to the express abandonment Application Serial No. 85-022,361, without prejudice, and dismisses Opposition No. 91198750, without prejudice.

Respectfully submitted,  
CARGILL, INCORPORATED  
By its Attorneys

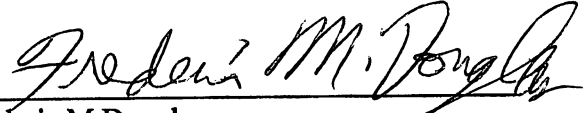
Date: June 5, 2012

  
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SEMPIO FOOD SERVICE, INC.

By its Attorneys,

Date: July 10, 2012

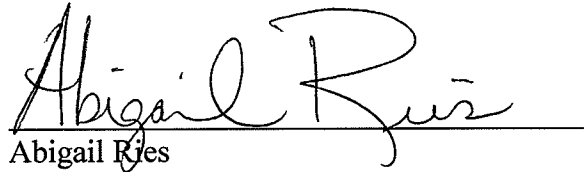


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**CERTIFICATE OF SERVICE**

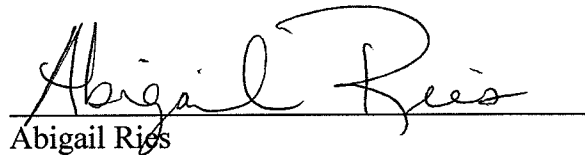
I hereby certify that a true copy of the foregoing **NOTICE OF EXPRESS ABANDONMENT AND WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE** was served upon the following attorney of record for Applicant by email and First Class Mail, this 12<sup>th</sup> day of July, 2012:

Frederic M Douglas  
LAW OFFICES OF F M DOUGLAS  
15333 Culver Drive, Suite 340 PMB 114  
Irvine, CA 92604-3051

  
Abigail Ries

**CERTIFICATE OF FILING**

I hereby certify that this **NOTICE OF EXPRESS ABANDONMENT AND WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE** is being filed electronically with the United States Patent and Trademark Office's Electronic System for Trademark Trials and Appeals (ESTTA) on this 12<sup>th</sup> day of July, 2012.

  
Abigail Ries