

ESTTA Tracking number: **ESTTA404159**

Filing date: **04/18/2011**

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

Proceeding	91198946
Party	Plaintiff Rocky Brands, Inc.
Correspondence Address	Karen K. Hammond Porter, Wright, Morris & Arthur LLP 41 S. High St. Columbus, OH 43215 UNITED STATES ipdocket@porterwright.com, khammond@porterwright.com
Submission	Withdrawal of Opposition
Filer's Name	Karen Hammond
Filer's e-mail	ipdocket@porterwright.com, khammond@porterwright.com, rmorgan@porterwright.com
Signature	/Karen Hammond/
Date	04/18/2011
Attachments	rockyriverwith.pdf ( 3 pages )(57034 bytes )

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

In re Application of:	)	
	)	
Hamricks, Inc.	)	
	)	
Serial No.: 85/108313	)	Opposition No. 91198946
	)	
Filing Date: August 16, 2010	)	
	)	
Mark: ROCKY RIVER	)	

**ABANDONMENT OF APPLICATION WITH OPPOSER'S  
CONSENT AND STIPULATED WITHDRAWAL OF OPPOSITION**

Pursuant to 37 C.F.R. §§2.68 and 2.135, Applicant, Hamricks Inc. aka Hamrick's Incorporated, hereby expressly abandons the above-identified application, without prejudice, and requests that the application be withdrawn from consideration for registration of the subject mark. The application was opposed in Opposition No. 91198946 by Opposer, Rocky Brands, Inc. Opposer, by and through its attorneys, hereby consents to Applicant's foregoing express abandonment of the application, without prejudice, for Serial No. 85/108313.

Rocky Brands, Inc. and Hamricks, Inc. aka Hamrick's Incorporated (the "Parties") stipulate that they have resolved issues between them in connection with the above-identified Opposition. Therefore, pursuant to 37 C.F.R. §2.106(c), the Parties hereby agree, individually or by and through their attorneys, to a withdrawal of the Opposition 91198946, without prejudice.

The parties respectfully request that the application be expressly abandoned and the above-identified Opposition be dismissed, both without prejudice, pursuant to 27 C.F.R. §§2.135 and 2.106(c). Each party will bear its own costs.

Agreed to by:

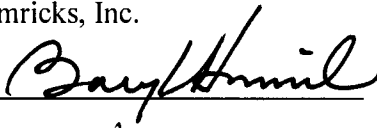
Rocky Brands, Inc.

By:   
Karen K. Hammond  
Porter, Wright, Morris & Arthur LLP  
41 South High Street  
Columbus, Ohio 43215  
(614) 227-2182  
khammond@porterwright.com

Attorney for Opposer,  
Rocky Brands, Inc.

Date: 4-18-11

Hamrick's Incorporated  
dba Hamricks, Inc.

By:   
Printed Name: Barry L. Hamrick  
Title: President  
Date: 4-8-11

Authorized Representative of Applicant,  
Hamricks, Inc. aka Hamrick's  
Incorporated

CERTIFICATE OF SERVICE

I hereby certify that this paper has been served upon the applicant, Hamrick's Inc., at its address at 742 Peachoid Road, Gaffney, South Carolina 29341-3499 via U.S. Postal Service, first class mail, postage prepaid, on April 18, 2011.

Respectfully submitted,

/Karen Hammond/  
Karen Hammond

Attorney for Opposer,  
Rocky Brands, Inc.

Opposition No. 91198946