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

Proceeding	91200167
Party	Plaintiff M2 Software, Inc.
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Date	08/15/2012
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

M2 SOFTWARE, INC.

Opposer,

v.

HIGHER LOGIC, LLC

Applicant.

Opposition No. 91200167

For: **M2 MOBILE
MEMBERSHIP**

Serial Nos.: 85/017,071;85/017,090

**OPPOSER'S WITHDRAWAL OF CONSOLIDATED PLEADING CONTAINING REPLY AND RESPONSE TO
CROSS-MOTIONS, FOR RE-FILING AS SEPARATED PLEADINGS**

On August 14, 2012, Opposer filed its *Opposer's Reply In Support of Motion For Leave To Amend Its Consolidated Notice of Opposition and Motion for Judgment As Sanction, Or In the Alternative for Summary Judgment; And Response To Cross Motions*. DKT 22. The document constituting a consolidated reply and response (DKT 22) is hereby withdrawn, and concomitantly re-filed herewith as a separate reply and a separate response to comply with Board requirements for page limitations on consolidated pleadings. TBMP § 502.02.¹

Dated: August 15, 2012
Chicago, Illinois

Respectfully submitted,

M2 SOFTWARE, INC.

BY: s/David Escamilla/

David Escamilla

President and C.E.O.

OPPOSER

¹ The docket entries of separately-filed declarations of DKT 23 and DKT 24 are not withdrawn but merely incorporated, to lessen the administrative burden on the Board from duplicative filing of documents. *See ITC Entertainment Group Ltd. v. Nintendo of America Inc.*, 45 USPQ2d 2021 (TTAB 1998).

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument is being served on August 15, 2012, by electronic service, pursuant to the parties' agreement under Trademark Rule 2.119(b)(6), upon the defendant / Applicant at its address of record.

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s/David Escamilla/
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