

ESTTA Tracking number: **ESTTA455888**

Filing date: **02/10/2012**

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

Proceeding	91202450
Party	Defendant Modernizing Medicine, Inc.
Correspondence Address	DAVID J BYER K&L GATES LLP STATE STREET FINANCIAL CENTER, ONE LINCOLN STREET BOSTON, MA 02111-2950 UNITED STATES setrademarks@klgates.com, tmboston@klgates.com, David.Byer@klgates.com, emily.cunningham@klgates.com
Submission	Other Motions/Papers
Filer's Name	David J. Byer
Filer's e-mail	David.Byer@klgates.com, setrademarks@klgates.com, tmboston@klgates.com, alice.schermer@klgates.com, hayden.o'byrne@klgates.com
Signature	/David J. Byer/
Date	02/10/2012
Attachments	Applicant's Withdrawal of Motion.pdf (2 pages)(30834 bytes)

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

In the matter of Application Serial No.: 85/102,289: 85/102,294
For the mark: M2 MODERNIZING MEDICINE
Published in the Official Gazette on July 12, 2011

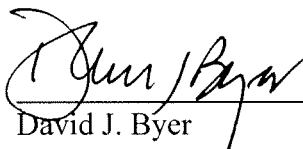
M2 SOFTWARE, INC.,)	
)	
Opposer,)	
)	
v.)	Opposition No. 91202450
)	
MODERNIZING MEDICINE, INC.,)	
)	
Applicant.)	
)	

**APPLICANT’S WITHDRAWAL OF MOTION TO EXTEND TIME TO
RESPOND TO OPPOSER’S DISCOVERY REQUESTS**

Modernizing Medicine, Inc. (“Applicant” or “Modernizing Medicine”), pursuant to TBMP Rule 509(1)(A), hereby withdraws its Motion to Extend Time to Respond to Opposer’s Discovery Requests, previously filed in this action on February 6, 2012. Applicant and Opposer have reached an agreement as to the subject matter of Applicant’s Motion, and the parties no longer require an adjudication of the Motion.

WHEREFORE, Modernizing Medicine, Inc. respectfully requests that its Motion to Extend time to Respond to Opposer’s Discovery Requests be withdrawn.

Date: February 10, 2012

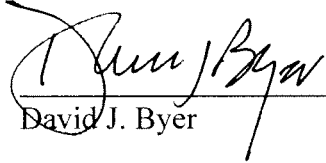
MODERNIZING MEDICINE, INC.


David J. Byer
Attorneys for Applicant, Modernizing Medicine, Inc.
K&L Gates LLP
State Street Financial Center
One Lincoln Street
Boston, MA 02111-2950
Phone: 617-261-3100

CERTIFICATE OF SERVICE

I hereby certify that on February 10, 2012, I caused the foregoing APPLICANT'S WITHDRAWAL OF MOTION TO EXTEND TIME TO RESPOND TO OPPOSER'S DISCOVERY REQUESTS to be served via e-mail and first class mail to the following individuals:

Mr. David Escamilla, President
M2 Software, Inc.
6725 Sunset Boulevard
Suite 230
Los Angeles, CA 90028
info@m2software.com



David J. Byer