

ESTTA Tracking number: **ESTTA492383**

Filing date: **09/04/2012**

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

| | |
|---------------------------|---|
| Proceeding | 91204191 |
| Party | Defendant The Dow Chemical Company |
| Correspondence Address | JULIA SPOOR GARD BARNES & THORNBURG LLP 11 S MERIDIAN ST INDIANAPOLIS, IN 46204 UNITED STATES julia.gard@btlaw.com |
| Submission | Withdrawal Of Application |
| Filer's Name | Julia Spoor Gard, IN and IL Bar Member |
| Filer's e-mail | eross@btlaw.com, jgard@btlaw.com |
| Signature | /jgard/ |
| Date | 09/04/2012 |
| Attachments | 91204191.pdf (2 pages)(33982 bytes) |

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

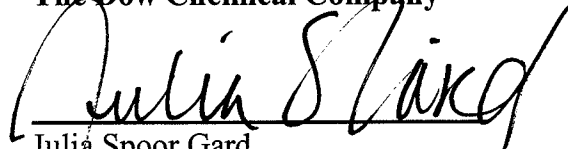
| | | |
|--------------------------|---|-------------------------|
| Evonik Degussa GmbH |) | |
| |) | Opposition No: 91204191 |
| Opposer, |) | Serial No.: 85/353749 |
| v. |) | Mark: BETAMELT |
| |) | |
| The Dow Chemical Company |) | |
| |) | |
| Applicant. |) | |

WITHDRAWAL OF APPLICATION WITHOUT PREJUDICE

In accordance with an Agreement between Parties and pursuant to 37 C.F.R. §2.68, Applicant, The Dow Chemical Company hereby expressly withdraws the above referenced application.

Dated: September 4, 2012

Respectfully submitted,
The Dow Chemical Company



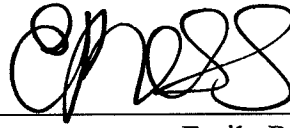
Julia Spoor Gard
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, IN 46204

Attorney for Applicant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Withdraw of Application has been served on September 4, 2012, by depositing a copy of the same in the United States mail, first class postage prepaid and properly addressed to the Applicant's attorney of record:

Michael Culver
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 Clarendon Blvd., Suite 1400
Arlington, Virginia 22201

A handwritten signature in black ink, appearing to read "ERoss", written over a horizontal line.

Emily Ross