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Filing date: **09/21/2012**

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

|                        |  |
|------------------------|--|
| Proceeding             | 91204654   |
| Party                  | Defendant<br>MusclePharm Corporation   |
| Correspondence Address | MARK CAMPANINI<br>401 N TRYON ST FL 10<br>CHARLOTTE, NC 28202-2101<br>UNITED STATES<br>erica@ericawstump.com |
| Submission             | Withdrawal Of Application  |
| Filer's Name           | Erica W. Stump, Esq.   |
| Filer's e-mail         | erica@ericawstump.com, michelle@ericawstump.com,<br>mcampanini@musclepharm.com                               |
| Signature              | /ews/  |
| Date                   | 09/21/2012   |
| Attachments            | Withdrawal of Application 9-21-12.pdf ( 2 pages )(64109 bytes )  |

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

|                                  |                         |
|----------------------------------|-------------------------|
| USA NUTRACEUTICALS GROUP, INC. ) | Serial No. 85/365,641   |
| and )                            |                         |
| ULTRA-LAB NUTRITION, INC. )      | Opposition No. 91204654 |
| d/b/a BEAST SPORTS )             |                         |
| )                                |                         |
| v. )                             |                         |
| )                                |                         |
| MUSCLEPHARM CORPORATION )        |                         |
| )                                |                         |
| _____ )                          |                         |

**EXPRESS ABANDONMENT OR WITHDRAWAL OF APPLICATION**

Applicant, MusclePharm Corporation (“MP”) hereby moves to expressly abandon or withdraw its TRAIN LIKE AN UNCHAINED BEAST Application, Serial No. 85/365,641 or and alleges as follows:

1. The instant proceeding was been suspended pending the outcome of the District Court case pending in the Southern District of Florida (the “Litigation”). The parties have settled the issues raised in the Litigation and have dismissed the Litigation. As part of the settlement, MP agreed to expressly abandon the TRAIN LIKE AN UNCHAINED BEAST Application.

2. Thus, MP hereby expressly abandons and/or withdraws its TRAIN LIKE AN UNCHAINED BEAST Application, Serial No. 85/365,641.

WHEREFORE, MusclePharm Corporation requests that the TTAB expressly abandon or withdraw its TRAIN LIKE AN UNCHAINED BEAST Application, Serial No. 85/365,641.

Dated: September 21, 2012

Respectfully Submitted,

/ews/  
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**CERTIFICATE OF TRANSMISSION**

I hereby certify that a true copy of the foregoing was submitted to the United States Patent and Trademark Office via ETTSA on September 21, 2012.

s/Erica W. Stump  
Erica W. Stump, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing was sent on September 21, 2012 via electronic mail and U.S. Mail, postage prepaid, to:

Ryan M. Kaiser  
AMIN TALATI, LLC  
55 W. Monroe St., Suite 3400  
Chicago, IL 60603

s/Erica W. Stump  
Erica W. Stump, Esq.