

ESTTA Tracking number: **ESTTA489366**

Filing date: **08/16/2012**

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

Proceeding	91206446
Party	Defendant Gradus Group LLC
Correspondence Address	BARBARA A. FRIEDMAN EDELL, SHAPIRO & FINNAN, LLC 1901 RESEARCH BLVD STE 400 ROCKVILLE, MD 20850-6120 efile@usiplaw.com
Submission	Other Motions/Papers
Filer's Name	Barbara A. Friedman
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Signature	/Barbara A. Friedman/
Date	08/16/2012
Attachments	Withdrawal of Application.pdf (3 pages)(55678 bytes)

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

_____)	
PNY Technologies, Inc.)	
)	
Opposer,)	Opposition No. 91206446
v.)	Mark: ATTACHÉ
)	Serial No. 85423501
Gradus Group LLC)	
)	
Applicant.)	
_____)	

WITHDRAWAL OF APPLICATION

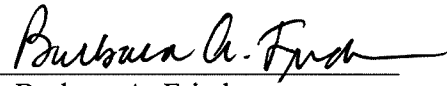
Applicant, Gradus Group LLC (hereinafter, "Applicant") hereby withdraws its application for registration, Ser. No. 85423501.

Applicant is aware that 37 CFR § 2.135 specifies that a Withdrawal of Application submitted without the adverse party's consent shall result in a judgment entered against the applicant. However, in submitting this Withdrawal, Applicant expressly denies that any allegation in the Notice of Opposition filed in this matter is true, or that the Opposer's claims have merit. Rather, Applicant has made a business determination that the matter at issue is not of sufficient value to warrant the commitment of time and resources that typically is required in litigation of this sort. Based upon that business decision, Applicant

has determined that the most expeditious means of concluding this matter without further commitment of resources is by withdrawing the application.

Gradus Group LLC

August 16, 2012



By: Barbara A. Friedman
EDEL SHAPIRO & FINNAN LLC
1901 Research Boulevard Suite 400
Rockville, Maryland 20850
Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2012, a copy of the foregoing Withdrawal of Application was served by prepaid first class mail in an envelope addressed to

Robert W. Smith, Esq.
McCarter & English, LLP
100 Mulberry Street, 4 Gateway Center
Newark, NJ 07102


Barbara A. Friedman