

ESTTA Tracking number: **ESTTA652567**

Filing date: **01/28/2015**

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

Proceeding	91211987
Party	Defendant Ace Eat Serve Inc.
Correspondence Address	EMILY C HOLMES BROWNSTEIN HYATT FARBER SCHRECK LLP 410 SEVENTEENTH STREET, SUITE 2200 DENVER, CO 80202-4437 UNITED STATES eholmes@bhfs.com, dnipdocket@bhfs.com
Submission	Withdrawal Of Application
Filer's Name	Emily C. Holmes
Filer's e-mail	eholmes@bhfs.com, khigginbotham@bhfs.com, dnipdocket@bhfs.com
Signature	/emilyholmes/
Date	01/28/2015
Attachments	91211987 - Notice of Consent of Abandonment.pdf(449458 bytes)

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

Ace Group International LLC,

(Opposer),

v.

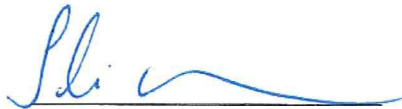
Ace Eat Serve Inc.,

(Applicant).

OPPOSITION NO. 91211987

NOTICE OF CONSENT OF ABANDONMENT

Pursuant to the order issued on January 9, 2015, Opposer hereby provides its written consent to Applicant's Consented Petition to Expressly Abandon Application dated December 23, 2014.



Tali L. Alban
Kilpatrick Townsend and Stockton LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111

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

In the Matter of the Trademark Application Serial No. 85/705,872
For the Trademark: ACE NO. 11 EAT · SERVE & Design in International Class 43
Published in the Official Gazette on February 12, 2013

Ace Group International LLC
(Opposer)

v.

Ace Eat Serve Inc.,
(Applicant),

OPPOSITION NO. 91211987

CONSENTED PETITION TO EXPRESSLY ABANDON APPLICATION

Pursuant to 37 C.F.R. § 2.135, Ace Eat Serve Inc. ("Applicant") as the owner of trademark application number 85/705,872 for the mark ACE NO. 11 EAT · SERVE & Design (the "Application"), respectfully submits this Petition to Expressly Abandon Application. Counsel for opposer Ace Group International LLC ("Opposer"), Tali L. Alban of the firm of Kilpatrick Townsend and Stockton LLP, has consented to this motion.

As Applicant has elected to abandon trademark application number 85/705,872 for the mark ACE NO. 11 EAT · SERVE & Design (the "Application"), and Opposer has consented to that abandonment, Applicant respectfully requests that the Trademark Trial and Appeal Board enter an order granting this petition, expressly abandoning the Application and terminating this opposition proceeding.

Dated this 23rd day of December, 2014.

Respectfully submitted,

By: s/ Emily C. Holmes

Emily C. Holmes

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Attorney for Ace Eat Serve Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 23, 2014, a copy of the foregoing CONSENTED PETITION TO EXPRESSLY TO ABANDON APPLICATION was served via first class mail and electronic mail upon the following:

Tali L. Alban
Kilpatrick Townsend and Stockton LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111
talban@kilpatricktownsend.com

By: s/Dawn Sullivan
Dawn Sullivan

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 28, 2015, a copy of the foregoing NOTICE OF CONSENT OF ABANDONMENT was served via first class mail and electronic mail upon the following:

Tali L. Alban
Kilpatrick Townsend and Stockton LLP
Two Embarcadero Center, 8th Floor
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By: s/Dawn Sullivan
Dawn Sullivan