

ESTTA Tracking number: **ESTTA583104**

Filing date: **01/22/2014**

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

|                        |   |
|------------------------|---|
| Proceeding             | 91212021  |
| Party                  | Defendant<br>Madikwe International, Inc.  |
| Correspondence Address | JEFFREY D HARTY<br>MCKEE VOORHEES & SEASE PLC<br>801 GRAND AVE, STE 3200<br>DES MOINES, IA 50309-8009<br>UNITED STATES<br>mvslit@ipmvs.com, jeff.harty@ipmvs.com,<br>christine.lebron-dykeman@ipmvs.com, alex.christian@ipmvs.com |
| Submission             | Withdrawal Of Application   |
| Filer's Name           | Timothy J. Zarley   |
| Filer's e-mail         | tzarley@zarleylaw.com   |
| Signature              | /Timothy J. Zarley/   |
| Date                   | 01/22/2014  |
| Attachments            | Withdrawal of Application.pdf(16104 bytes )   |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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|------------------------------|---|------------------------------------|
| THE OLD BUSHMILLS DISTILLERY | ) | Opposition No. 91212021            |
| COMPANY LIMITED,             | ) |                                    |
|                              | ) | Mark: SPIRIT OF THE BUSH           |
| Opposer,                     | ) |                                    |
|                              | ) | <b>Application S.N. 85/844,081</b> |
| v.                           | ) |                                    |
|                              | ) |                                    |
| MADIKWE INTERNATIONAL, INC., | ) | Published in the Official          |
|                              | ) | Gazette on April 16, 2013          |
| Applicant.                   | ) |                                    |

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**WITHDRAWAL OF APPLICATION**

**Pursuant to 37 C.F.R. § 2.68**

In accordance with Trademark Rule 2.68, 37 C.F.R. § 2.68, Applicant hereby withdraws its application U.S. Serial No. 85/844,081 for the mark SPIRIT OF THE BUSH.

Respectfully submitted,

MADIKWE INTERNATIONAL, INC.

January 22, 2014 \_\_\_\_\_

Date

By: /s/Timothy J. Zarley \_\_\_\_\_

Timothy J. Zarley Law  
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**Certificate Of Mailing**

I hereby certify that this correspondence is being sent via e-mail (e-mail: [evan.gourvitz@diageo.com](mailto:evan.gourvitz@diageo.com)) and First Class Mail to: Evan Gourvitz, Diageo North American, Inc., 801 Main Avenue, Norwalk, CT 06851 on January 22, 2014.

/Timothy J. Zarley/ \_\_\_\_\_

Timothy J. Zarley

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