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Filing date: **08/31/2016**

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

Proceeding	91212253
Party	Plaintiff Miss Elaine, Inc.
Correspondence Address	CATHY J FUTROWSKY EVANS & DIXON LLP 211 N BROADWAY, METROPOLITAN SQUARE SUITE 2500 ST LOUIS, MO 63102 UNITED STATES ip@evans-dixon.com, cfutrowsky@evans-dixon.com
Submission	Withdrawal of Opposition
Filer's Name	Cathy J. Futrowsky
Filer's e-mail	ip@evans-dixon.com, cfutrowsky@evans-dixon.com
Signature	/Cathy J. Futrowsky/
Date	08/31/2016
Attachments	Withdrawal.pdf(152307 bytes )

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

-----X  
MISS ELAINE, INC.,

Opposer,

v.

Opposition No. 91212253

EMPIRE RESORTS, INC.

Applicant.

-----X

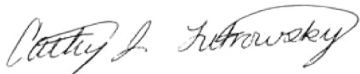
**WITHDRAWAL OF OPPOSITION**

MISS ELAINE, INC., by and through its attorneys, hereby withdraws the above identified opposition proceeding.

MISS ELAINE, INC.

Date: 8/12/16

By: \_\_\_\_\_

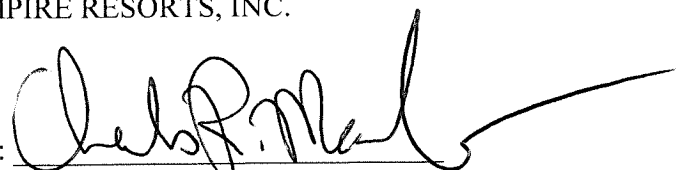
  
Cathy J. Futrowsky  
Evans & Dixon, L.L.C.  
211 N. Broadway, Suite 2500  
St. Louis, Missouri 63102  
Telephone: 314/621-7755  
Fax: 314/621-3136  
Email: ip@evans-dixon.com and  
cfutrowsky@evans-dixon.com  
Attorneys for Opposer

Consented to by:

EMPIRE RESORTS, INC.

Date: July 15, 2016

By:

A handwritten signature in black ink, appearing to read "Charles R. Macedo", written over a horizontal line. The signature is stylized and extends to the right with a long, thin stroke.

Charles R. Macedo  
Amster, Rothstein & Ebenstein LLP  
90 Park Avenue  
New York, New York 10016  
Telephone: 212/336-8074  
Fax: 212/336-8001  
Email: CMacedo@arelaw.com  
Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Withdrawal of Opposition was sent, via First Class Mail, postage prepaid, this 31<sup>st</sup> day of August, 2016, to counsel for Applicant, as follows:

Charles R. Macedo  
Amster, Rothstein & Ebenstein LLP  
90 Park Avenue  
New York, NY 10016

  
\_\_\_\_\_