

ESTTA Tracking number: **ESTTA668450**

Filing date: **04/23/2015**

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

Proceeding	91221228
Party	Defendant Outrigger Hotels Hawaii
Correspondence Address	PATRICIA L. COTTON PILLSBURY WINTHROP SHAW PITTMAN LLP PO BOX 10500 MC LEAN, VA 22102-8500 docket_ip@pillsburylaw.com;patricia.cot
Submission	Other Motions/Papers
Filer's Name	Patricia L. Cotton
Filer's e-mail	docket_ip@pillsburylaw.com,patricia.cotton@pillsburylaw.com
Signature	/Patricia L. Cotton/
Date	04/23/2015
Attachments	Executed Motion to Withdraw Opposed Services.pdf(87860 bytes)

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

In the Application of: Outrigger Hotels Hawaii
Application Number: 86/196,638
Filing Date: February 18, 2014
Publication Date: November 25, 2014
Mark: O.N.E BY OUTRIGGER

_____)
The ONE Group LLC, and) Opposition No. 91221228
JEC II LLC,))
 Opposers,))
))
 vs.))
))
OUTRIGGER HOTELS HAWAII,))
 Applicant.))
_____)

MOTION TO WITHDRAW THE OPPOSED SERVICES

Pursuant to 37 C.F.R. § 2.68, Applicant, Outrigger Hotels Hawaii, hereby moves to withdraw and expressly abandon the opposed services in application Serial No. 86/196,638 (“this Application”).

Opposers, The ONE Group LLC and JEC II LLC, have opposed this Application solely in regard to “*restaurant and bar services*” in Class 43. All other services in this Application have not been opposed and therefore are not subject to this proceeding. Applicant now hereby withdraws and deletes the opposed “*restaurant and bar services*” from the Application, recognizing that this unilateral motion may result in default judgment being entered against Applicant in regard to such opposed services.

Following the grant of this motion and the deletion of “*restaurant and bar services*” from this Application, Applicant respectfully requests that this Application proceed to registration, under Section 44(e) of the Trademark Act, for the remaining, unopposed services, namely:

Business management of hotels and other temporary accommodations for others, in Class 35;

Vacation real estate time sharing services; real estate services, namely, condominium and vacation apartment management services; real estate services, namely, rental property management; real estate services, namely, leasing and management for others of residential condominiums located within hotel developments, in Class 36; and

Hotel services; resort lodging services; providing temporary accommodations; agency services for the reservation of temporary accommodations; information in the field of providing temporary accommodation in Class 43.

Date: April 23, 2015

Respectfully submitted,



PATRICIA L. COTTON
PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean VA 22102
Telephone: (650) 233-4758

Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that a copy of this MOTION TO WITHDRAW THE OPPOSED SERVICES in Opposition No. 91221228 is being deposited with the United States Postal Service, First-Class postage prepaid, on the date set forth below and are addressed to:

Michael Gilman, Esq.
Pergament Gilman & Cepeda LLP
163 Madison Avenue, Suite 110
Morristown NJ 07960

Date: April 23, 2015



Diana Dearing