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Filing date: **12/19/2016**

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

Proceeding	91222214
Party	Defendant Nicolon Corporation
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Date	12/19/2016
Attachments	JOINT STIPULATION TO EXPRESSLY ABANDON THE APPLICATION AND WITHDRAW THE OPPOSITION.PDF(127617 bytes )

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

In the Matter of Trademark Application Serial No.	86057945
Filed:	September 6, 2013
Mark:	COLOR ORANGE
Published for Opposition	February 3, 2015

DANDY PRODUCTS, INC.

Opposer,

v.

Opposition No. 91222214

NICOLON CORPORATION,

Applicant.

**JOINT STIPULATION TO EXPRESSLY ABANDON THE APPLICATION  
AND WITHDRAW THE OPPOSITION**

Opposer, Dandy Products, Inc. (“Opposer”), and Applicant, Nicolon Corporation (“Applicant”), hereby stipulate to the abandonment of United States Trademark Application Serial No. 86057945 for the mark COLOR ORANGE (“Application”) WITH PREJUDICE and to the withdrawal of the above-captioned Opposition (“Opposition”) WITHOUT PREJUDICE, with CONSENT of both parties, and without entry of judgment against either party, all pursuant to 37 CFR § 2.106(c), 37 CFR § 2.135, and TBMP § 605.03(a).

Applicant’s abandonment of its Application is with prejudice and is made with the express written consent of Opposer, as indicated by Opposer’s counsel’s signature below.

Opposer's withdrawal of the Opposition is without prejudice and is made with the express written consent of Applicant, as indicated by Applicant's counsel's signature below.

This Stipulated Joint Motion To Abandon the Application and Withdraw the Opposition is submitted with the consent of both parties, and, therefore, the Application and the Opposition may be abandoned and withdrawn without judgment entering against either party.

WHEREFORE, the parties jointly stipulate to the abandonment of United States Trademark Application Serial No. 86057945 for the COLOR ORANGE and the withdrawal of the above-captioned Opposition without entry of judgment against either party.

Dated: December 19, 2016

**Respectfully submitted,**

By: /Terry L. Clark/  
Terry L. Clark, Esq.  
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**Respectfully submitted,**

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Attorneys for Applicant Nicolon Corporation

**CERTIFICATE OF SERVICE**

I, Thomas J. Mango, Esq., counsel to Applicant Nicolon Corporation in the above-captioned proceeding, hereby certify that, on the 19<sup>th</sup> day of December 2016, I served a copy of the foregoing JOINT STIPULATION TO EXPRESSLY ABANDON THE APPLICATION AND WITHDRAW THE OPPOSITION, via first class mail, postage prepaid, upon:

Terry L. Clark, Esq.  
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