

ESTTA Tracking number: **ESTTA735004**

Filing date: **03/22/2016**

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

Proceeding	91225972
Party	Defendant Neocutis S.A.
Correspondence Address	THOMAS J MANGO CANTOR COLBURN LLP 20 CHURCH STREET, 22ND FLOOR HARTFORD, CT 06103-1253 UNITED STATES tmango@cantorcolburn.com, cwilkinson@cantorcolburn.com
Submission	Other Motions/Papers
Filer's Name	Thomas J. Mango
Filer's e-mail	tmango@cantorcolburn.com, cwilkinson@cantorcolburn.com
Signature	/Thomas J. Mango/
Date	03/22/2016
Attachments	JOINT STIPULATION TO EXPRESSLY ABANDON THE APPLICATION AND WITHDRAW THE OPPOSITION WITHOUT PREJUDICE.pdf(28672 bytes )

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

In the Matter of Trademark Application Serial No.	86555859
Filed:	March 6, 2015
Mark:	DERMOSMETICS
Published for Opposition	July 28, 2015

MCE,

Opposer,

v.

NEOCUTIS S.A.,

Applicant.

Opposition No. 91225972

**JOINT STIPULATION TO EXPRESSLY ABANDON THE APPLICATION  
AND WITHDRAW THE OPPOSITION WITHOUT PREJUDICE**

Opposer, MCE (“Opposer”), and Applicant, Neocutis S.A. (“Applicant”), hereby stipulate to the abandonment of United States Trademark Application Serial No. 86555859 for DERMOSMETICS (“Application”) WITHOUT 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 without 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is submitted with the consent of both parties, and, therefore, the Application and the Opposition may be abandoned and withdrawn without judgment entering against either party.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. 86555859 for DERMOSMETICS and the withdrawal of the above-captioned Opposition without entry of judgment against either party.

Dated: March 22, 2016

**Respectfully Submitted,**

BY: /Stella M. Brown/  
Tamara A. Miller, Esq.  
Stella M. Brown, Esq.  
**Leydig, Voit & Mayer, Ltd.**  
Two Prudential Plaza  
180 N. Stetson Avenue, Suite 4900  
Chicago, Illinois 60601 -6731  
Phone: 312-616-5600  
Fax: 312-616-5700  
[tmiller@leydig.com](mailto:tmiller@leydig.com)  
[sbrown@leydig.com](mailto:sbrown@leydig.com)

*Attorney for Opposer MCE*

**Respectfully Submitted,**

BY: /Thomas J. Mango/  
Thomas J. Mango, Esq.  
**Cantor Colburn LLP**  
20 Church Street, 22<sup>nd</sup> Floor  
Hartford, CT 06103-3207  
Phone: 860-286-2929  
Fax: 860-286-0115  
[tmango@cantorcolburn.com](mailto:tmango@cantorcolburn.com)

*Attorney for Applicant Neocutis, S.A.*

**CERTIFICATE OF SERVICE**

I, Thomas J. Mango, Esq., counsel to Applicant Neocutis S.A., in Opposition Proceeding No. 91225972, certify that, on the 22<sup>nd</sup> day of March 2016, I served a copy of the JOINT STIPULATION TO EXPRESSLY ABANDON THE APPLICATION AND WITHDRAW THE OPPOSITION WITHOUT PREJUDICE, via electronic mail, by agreement, upon:

Tamara A. Miller, Esq.  
Stella M. Brown, Esq.  
**Leydig, Voit & Mayer, Ltd.**  
Two Prudential Plaza  
180 N. Stetson Avenue, Suite 4900  
Chicago, IL 60601  
[tmiller@leydig.com](mailto:tmiller@leydig.com)  
[sbrown@leydig.com](mailto:sbrown@leydig.com)

/Thomas J. Mango/  
Thomas J. Mango