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

Proceeding	91227868
Party	Plaintiff Health New England, Inc.
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Submission	Withdrawal of Opposition
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Date	08/18/2017
Attachments	91227868 Withdrawal of Opposition 18AUG2017.pdf(57048 bytes)

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

In the Matter of Serial No. 87/779,873
Published in the *Official Gazette* on March 22, 2016
Mark: TRINITY HEALTH NEW ENGLAND & Design

HEALTH NEW ENGLAND, INC.,)	
)	
Opposers)	Opposition No. 91227868
)	
v.)	
)	
TRINITY HEALTH CORPORATION,)	(Our File No. 5022-0050-2)
)	
Applicant)	
)	

WITHDRAWAL OF OPPOSITION WITH PREJUDICE

Pursuant to 37 C.F.R. 2.106(c) and TMBP § 601.01, the Opposers, Health New England, Inc. (“HNE”), wish to notify the Board that a settlement agreement has been signed by both HNE and the Applicant, Trinity Health Corporation (“Trinity health”), collectively “the Parties,” in the underlying federal litigation, which is now being implemented.

The Parties' agreement was conditioned on Trinity Health amending the description of the mark in Application No. 86/779,873 (“the ‘873 application”), and on HNE’s subsequent withdrawal of the present Opposition with prejudice. On July 28, 2017, Trinity Health filed a stipulated amendment to its ‘873 Application. Since HNE consented thereto, the amendments were approved and entered.

Accordingly, HNE withdraws its Opposition to Application No. 86/779,873 with prejudice.

WHEREFORE, it is hereby requested that the present Opposition be dismissed with prejudice.

Dated: August 18, 2017

Health New England, Inc., by its attorneys
GROGAN, TUCCILLO &
VANDERLEEDEN, LLP

/J. Kevin Grogan/

J. Kevin Grogan
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CERTIFICATE OF SERVICE

This is to certify that one true and correct copy of the foregoing WITHDRAWAL OF OPPOSITION WITH PREJUDICE has been served, via email and First Class Mail, postage prepaid, on this 18th day of August, 2017, upon the following:

John P. Guenther
Michael B. Comeau
Fishman Stewart PLLC
39533 Woodward Ave, Suite 140
Bloomfield Hills, MI 48304

/J. Kevin Grogan/
J. Kevin Grogan, Esq.