

ESTTA Tracking number: **ESTTA826450**

Filing date: **06/12/2017**

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

Proceeding	91230833
Party	Defendant Nant Holdings IP, LLC
Correspondence Address	MICHAEL J MCCUE LEWIS ROCA ROTHGERBER CHRISTITE LLP 3993 HOWARD HUGHES PKWY STE 600 LAS VEGAS, NV 89169 UNITED STATES TRADEMARKS-LASVEGAS@LRRC.COM, MMCCUE@LRRC.COM, ZGORDON@LRRC.COM
Submission	Withdrawal Of Application
Filer's Name	Michael J. McCue
Filer's e-mail	Trademarks-LasVegas@LRRC.com, MMcCue@LRRC.com, ZGordon@LRRC.com
Signature	/Michael J. McCue/
Date	06/12/2017
Attachments	Opp 91230833 HHS Consent to Voluntary Abandonment of App w Dismissal of Opposition.pdf(33251 bytes)

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

<p>U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES,</p> <p style="text-align: center;">Opposer,</p> <p style="text-align: center;">v.</p> <p>NANT HOLDINGS IP, LLC,</p> <p style="text-align: center;">Applicant.</p>	<p style="text-align: center;">Opposition No. 91230833 (App. Serial No. 86/920,849) (App. Serial No. 86/891,907) (App. Serial No. 86/921,078)</p>
<p>THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS,</p> <p style="text-align: center;">Opposer,</p> <p style="text-align: center;">v.</p> <p>NANT HOLDINGS IP, LLC,</p> <p style="text-align: center;">Applicant.</p>	<p style="text-align: center;">Opposition No. 91230834 (App. Serial No. 86/920,849) Opposition No. 91230837 (App. Serial No. 86/891,907) Opposition No. 91230839 (App. Serial No. 86/921,078)</p>

**VOLUNTARY ABANDONMENT OF APPLICATIONS
AND DISMISSAL OF OPPOSITION PROCEEDINGS, WITH PREJUDICE,
AND WITH WRITTEN CONSENT**

Pursuant to 37 C.F.R. §§ 2.68(a) and 2.135 and TBMP § 602.01, and in compliance with the Trademark Trial and Appeal Board’s order of May 11, 2017, Applicant Nant Holdings IP, LLC (“Applicant”) and Opposer U.S. Department of Health and Human Services (“Opposer”) hereby jointly submit the following to the Board with the explicit written consent of both such parties:

1. Applicant hereby expressly and voluntarily abandons “with prejudice” the above-identified trademark applications, namely, U.S. Trademark Application Serial Nos. 86/920,849 (for the mark CANCER MOONSHOT 2020 FOUNDATION in International Class 36), 86/891,907 (for the mark CANCER MOONSHOT 2020 in International Class 35), and

86/921,078 (for the mark CANCER MOONSHOT NETWORK NEWS in International Class 44) (collectively, “Applications”).

2. In light of the foregoing abandonment of the Applications, both Applicant and Opposer hereby request that the above-referenced opposition proceedings be dismissed “with prejudice” (and that the Applications stand abandoned with prejudice to Applicant’s right to re-register or attempt to re-register the marks at issue in the Applications or any other marks similar thereto).

3. This paper is filed with the express written consent of both Applicant and Opposer, as evidenced by the below-stated signatures of Applicant’s attorneys of record (acting on behalf of and with authority from Applicant) and Opposer’s attorneys of record (acting on behalf of and with authority from Opposer).

WHEREFORE, PREMISES CONSIDERED, Opposer and Applicant, with the explicit consent of both such parties, respectfully request the voluntarily abandonment of the Applications “with prejudice,” and the voluntary dismissal of the above-referenced opposition proceedings “with prejudice.”

[SIGNATURE PAGE EVIDENCING WRITTEN CONSENT FOLLOWS]

Dated: June 12, 2017

Respectfully submitted,

LEWIS ROCA ROTHGERBER CHRISTIE LLP



By: _____

Michael J. McCue
Zachary T. Gordon
Jonathan W. Fountain
3993 Howard Hughes Pkwy., Suite 600
Las Vegas, Nevada 89169
(702) 949-8200 – Telephone
(702) 949-8363 – Facsimile
mmccue@lrrc.com; zgordon@lrrc.com;
jfountain@lrrc.com

ATTORNEYS FOR APPLICANT

-and-

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES

By: *Melanye K. Johnson*

Melanye K. Johnson
Office of the General Counsel
Public Health Division
National Institutes of Health Branch
31 Center Drive, Suite 2B-50
MSC 2111
Bethesda, Maryland 20892-2111
Telephone: (301) 496-6043
Facsimile: (301) 402-10234

ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing *Voluntary Abandonment of Applications and Dismissal of Opposition Proceedings, With Prejudice, With Written Consent* was served via e-mail upon the following on this June 12, 2017:

Melanye K. Johnson
U.S. Department of Health and
Human Services
Office of the General Counsel
Public Health Division
National Institutes of Health Branch
31 Center Drive, Suite 2B-50
MSC 2111
Bethesda, Maryland 20892-2111
Email: johnsonmk@mail.nih.gov, dichter@od.nih.gov

ATTORNEYS FOR OPPOSER

/s/ Joy A. Jones, CP
An Employee of Lewis Roca Rothgerber Christie LLP