

ESTTA Tracking number: **ESTTA921758**

Filing date: **09/12/2018**

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

Proceeding	91236279
Party	Plaintiff Frito-Lay North America, Inc.
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Signature	/Tiffani D. Otey/
Date	09/12/2018
Attachments	LETS TAILGATE - Consented Motion to Withdraw Opposition Without Preju- dice.pdf(166374 bytes )

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

**Mark** : LET'S TAILGATE!  
**Applicant** : Chef's Touch Sales and Marketing, LLC  
**Serial No.** : 87249836  
**Filed** : November 28, 2016  
**Published** : April 25, 2017

<p><b>FRITO-LAY NORTH AMERICA, INC.</b></p> <p style="text-align: center;"><b>Opposer,</b></p> <p style="text-align: center;">v.</p> <p><b>CHEF'S TOUCH SALES AND MARKETING, LLC</b></p> <p style="text-align: center;"><b>Applicant.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>Opposition No. 91236279</b></p>
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**CONSENTED WITHDRAWAL OF OPPOSITION PROCEEDINGS WITHOUT PREJUDICE**

Pursuant to 37 C.F.R. § 2.106(c) and T.B.M.P. § 601.01, Opposer hereby withdraws the above-captioned Opposition proceeding without prejudice and with the consent of Applicant.

Dated this 12th day of September, 2018.

Respectfully submitted,

<p>CERES PATENT &amp; TECHNOLOGIES, LLC</p> <p>By: <u>          /s/ Mandy T. Garrels/          </u></p> <p>Mandy Tran Garrels  529 Ontario Ave., Ste SN2  Sheboygan, WI 53081  Telephone: (920) 287-7933  <a href="mailto:mgarrels@intellectualcounsel.com">mgarrels@intellectualcounsel.com</a>  Attorney for Applicant</p>	<p>WOMBLE BOND DICKINSON (US) LLP</p> <p>By: <u>          /s/ Tiffani D. Otey/          </u></p> <p>Tiffani D. Otey  One West Fourth Street  Winston-Salem, North Carolina 27101  Telephone: (336) 721-3629  <a href="mailto:Tiffani.Otey@wbd-us.com">Tiffani.Otey@wbd-us.com</a>  Attorney for Opposer</p>
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing CONSENTED WITHDRAWAL OF OPPOSITION PROCEEDINGS has been served on Respondent by forwarding said on September 12, 2018, via email, to:

MANDY T. GARRELS  
CERES PATENT & TECHNOLOGY LLC  
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/s/Tiffani D. Otey  
Tiffani D. Otey, Esq.