

ESTTA Tracking number: **ESTTA960230**

Filing date: **03/14/2019**

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

Proceeding	91244570
Party	Defendant Health Career Institute LLC
Correspondence Address	STEPHEN P MCNAMARA ST ONGE STEWARD JOHNSTON & REENS LLC 986 BEDFORD STREET STAMFORD, CT 06905-5619 UNITED STATES tm-pto@ssjr.com 203-324-6155
Submission	Other Motions/Papers
Filer's Name	Stephen P. McNamara
Filer's email	litigation@ssjr.com, smcnamara@ssjr.com
Signature	/Stephen P. McNamara/
Date	03/14/2019
Attachments	Joint Motion to Withdraw.pdf(13626 bytes)

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

American Heart Association,	:	
	:	
Opposer,	:	
	:	
v.	:	Opposition No. 91244570
	:	
Health Career Institute LLC	:	
	:	
Applicant.	:	

**JOINT MOTION TO WITHDRAW TRADEMARK APPLICATION
AND DISMISS OPPOSITION**

Opposer, American Heart Association, and Applicant Health Career Institute, LLC stipulate and jointly move for an order withdrawing the opposed application and dismissing the opposition as follows.

(1) U.S. Trademark Application No. 87841138 for HCI (Stylized/Design) is withdrawn. The withdrawal is with prejudice to the form of the mark in the Trademark Drawing U.S. Trademark Application No. 87841138 for HCI (Stylized/Design). The withdrawal shall not serve as a bar or have any evidentiary or preclusive effect to a refiling of a revised mark in which the appearance of the image contained in the lower silver diamond shape in the center of the trademark design is modified from a red heart with a white and red torch to another image. Specifically, the withdrawal shall not serve as a bar or have any evidentiary or preclusive effect with respect to U.S. Trademark Application No. 88299503 for HCI (Stylized/Design).

(2) This Opposition Proceeding No. 91244570 is dismissed. Each party shall bear its own fees and costs.

Respectfully submitted,

March 13, 2019

/s/Stephen P. McNamara/
Stephen P. McNamara
ST. ONGE STEWARD JOHNSTON & REENS LLC
986 Bedford Street
Stamford, CT 06905
Tel. (203) 324-6155
Fax. (203) 327-1096
Email: litigation@ssjr.com

*Attorney for Applicant
Health Career Institute LLC*

March 14, 2019

/s/Robin L Barnes /
Robin L. Barnes
ROSS BARNES LLP
275 W. Campbell Rd., Suite 210
Richardson, Texas 75080
(214) 420-2260
Email: docket@rossbarnes.com

*Attorney for Opposer
American Heart Association*

CERTIFICATE OF SERVICE

This it to certify that a true copy of the foregoing was served today on counsel for
Opposer via electronic mail at the address below:

Robin L. Barnes
ROSS BARNES LLP
275 W. Campbell Rd., Suite 210
Richardson, Texas 75080
Email: docket@rossbarnes.com

March 14, 2019

/s/Stephen P. McNamara