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

Proceeding	91247990
Party	Plaintiff Pirelli Tyre S.p.A.
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Submission	Withdrawal of Opposition
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Signature	/StevenBPowell/
Date	12/15/2020
Attachments	STRADA - Fully Signed Contingent Motion to Withdraw Opposition - Dec 15 2020.pdf(351131 bytes )

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

Pirelli Tyre S.p.A.,	)	
Opposer,	)	
v.	)	Mark: <b>STRADA</b>
	)	Opposition No. 91247990
Pacific Import Manufacturing, Inc. and/or	)	Serial No. 87/536,494
Strada Wheels, Inc., <sup>1</sup>	)	
	)	
Applicant.	)	
	)	
	)	
Attorney's Reference: 140232.502620		

**CONSENT MOTION FOR CONTINGENT WITHDRAWAL OF OPPOSITION  
WITHOUT PREJUDICE**

Opposer, with the consent of Applicant, each by and through undersigned counsel (Opposer and Applicant collectively, "Parties"), hereby moves to withdraw the opposition captioned above ("Opposition") without prejudice upon the approval and entry on the records of the United States Patent and Trademark Office ("USPTO") of an amendment to delete "tires" from the identification of goods in the subject Application Serial No. 87/536,494 ("Application"). To effectuate the withdrawal of the Opposition, the amended identification of goods must read in its entirety as follows:

"Wheels for automobiles," in International Class 12.

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<sup>1</sup> On May 15, 2020, Applicant filed a request with the USPTO's Assignment Recordation Branch to record an assignment of ownership of the subject mark and application from the original Applicant, Pacific Import Manufacturing, Inc., to assignee Strada Wheels, Inc., with an effective date of September 12, 2018 (which is earlier than the May 6, 2019 commencement of the Opposition). The USPTO recorded the assignment at Reel/Frame 6939/0884. On August 31, 2020, Applicant also filed with the Board a motion to join ("Motion to Join") assignee Strada Wheels, Inc. as a party to the proceeding. The Board has not yet ruled on the Motion to Join. Regardless of whether the Board grants the Motion to Join, denies it, or treats it instead as a motion to substitute per TBMP §512.01 (because the assignment took place *prior to* the commencement of the Opposition and Opposer has not objected to substitution), Opposer requests that the Board consider the defined term "Applicant" in this motion to refer to the entity or entities the Board, in its discretion, decides to caption as Applicant.

Applicant filed a motion with the Board on December 14, 2020 (“Motion to Amend”) to amend the identification of goods to “wheels for automobiles,” in International Class 12. The Board has not yet ruled on the Motion to Amend.

Upon the approval and entry on the records of the USPTO of the above-stated amendment to the identification of goods, Opposer, by and through undersigned counsel, hereby withdraws the Opposition without prejudice.

Dated: December 15, 2020

Respectfully submitted,

Consented by:



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**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing CONSENT MOTION FOR CONTINGENT WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE was served on counsel for Applicant, this 15<sup>th</sup> day of December 2020, by sending the same via email to Aaron P. Bradford and Nina P. Brewer, attorneys of record for Applicant, at [trademarks@apb-law.com](mailto:trademarks@apb-law.com); [aaron@apb-law.com](mailto:aaron@apb-law.com) and [nina@apb-law.com](mailto:nina@apb-law.com).



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Steven B. Powell