

ESTTA Tracking number: **ESTTA1181810**

Filing date: **12/30/2021**

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

Proceeding no.	91271355
Party	Plaintiff Diana Food SAS
Correspondence address	AMY BROZENIC LATHROP GPM LLP 10851 MASTIN BLVD. BUILDING 82, SUITE 1000 OVERLAND PARK, KS 66210-1669 UNITED STATES Primary email: internalip@lathropgpm.com Secondary email(s): amy.brozenic@lathropgpm.com, julie.ohara@lathropgpm.com 9134515100
Submission	Withdrawal of Opposition
Filer's name	Amy Brozenic
Filer's email	internalip@lathropgpm.com, amy.brozenic@lathropgpm.com, julie.ohara@lathropgpm.com
Signature	/Amy Brozenic/
Date	12/30/2021
Attachments	716909 Diana Food _ Gallo Express Abandonment Withdrawal Op 91271357.pdf(5840 bytes) 716908 Diana Food _ Gallo Express Abandonment Withdrawal Op 91271355.pdf(5819 bytes)

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

In Re: Application Serial No. 88/760,701
For the Mark: CLEAN COLORS
Filed: January 15, 2020
Published in the Official Gazette: March 2, 2021

Diana Food SAS)	
)	
Opposer,)	
)	
v.)	Opp. No. 91-271,357
)	
E. & J. Gallo Winery)	
)	
Applicant.)	
)	

**NOTICE OF EXPRESS ABANDONMENT OF APPLICATION AND WITHDRAWAL
OF OPPOSITION WITH CONSENT**

Pursuant to 37 C.F.R. § 2.68, Applicant E. & J. Gallo Winery, by and through its attorneys, with consent of Opposer Diana Food SAS, hereby expressly abandons the subject application No. 88/760,701 without prejudice. Further, pursuant to 37 CFR § 2.106(c), Opposer hereby withdraws without prejudice Opposition No. 91-271,357 with the consent of Applicant.

Date: December 30, 2021

Respectfully submitted,

LATHROP GPM LLP

HARVEY & COMPANY

By: /Amy Brozenic/
Amy Brozenic
10851 Mastin Blvd.
Building 82, Suite 1000
Overland Park, KS 66210-1669
E-mail: ipdocketing@lathropgpm.com
amy.brozenic@lathropgpm.com

By: /D. Peter Harvey/
D. Peter Harvey
Four Embarcadero Center, 14th Floor
San Francisco, CA 94111
E-mail: pharvey@harvey.law

ATTORNEYS FOR OPPOSER

ATTORNEYS FOR APPLICANT

CERTIFICATE OF ONLINE SUBMISSION

I hereby certify that a true and correct copy of this NOTICE OF EXPRESS ABANDONMENT OF APPLICATION AND WITHDRAWAL OF OPPOSITION WITH CONSENT was filed online with the Trademark Trial and Appeal Board using the ESTTA this 30th day of December, 2021.

By: /Amy Brozenic/
Amy Brozenic

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of December, 2021, a true and complete copy of the foregoing NOTICE OF EXPRESS ABANDONMENT OF APPLICATION AND WITHDRAWAL OF OPPOSITION WITH CONSENT has been served on the following counsel for the Applicant by forwarding said copy via electronic mail to:

D. Peter Harvey at pharvey@harvey.law

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

In Re: Application Serial No. 88/760,678
For the Mark: CLEAN COLOR
Filed: January 15, 2020
Published in the Official Gazette: March 2, 2021

Diana Food SAS)	
)	
Opposer,)	
)	
v.)	Opp. No. 91-271,355
)	
E. & J. Gallo Winery)	
)	
Applicant.)	
)	

**NOTICE OF EXPRESS ABANDONMENT OF APPLICATION AND WITHDRAWAL
OF OPPOSITION WITH CONSENT**

Pursuant to 37 C.F.R. § 2.68, Applicant E. & J. Gallo Winery, by and through its attorneys, with consent of Opposer Diana Food SAS, hereby expressly abandons the subject application No. 88/760,678 without prejudice. Further, pursuant to 37 CFR § 2.106(c), Opposer hereby withdraws without prejudice Opposition No. 91-271,355 with the consent of Applicant.

Date: December 30, 2021

Respectfully submitted,

LATHROP GPM LLP

HARVEY & COMPANY

By: /Amy Brozenic/
Amy Brozenic
10851 Mastin Blvd.
Building 82, Suite 1000
Overland Park, KS 66210-1669
E-mail: ipdocketing@lathropgpm.com
amy.brozenic@lathropgpm.com

By: /D. Peter Harvey/
D. Peter Harvey
Four Embarcadero Center, 14th Floor
San Francisco, CA 94111
E-mail: pharvey@harvey.law

ATTORNEYS FOR OPPOSER

ATTORNEYS FOR APPLICANT

CERTIFICATE OF ONLINE SUBMISSION

I hereby certify that a true and correct copy of this NOTICE OF EXPRESS ABANDONMENT OF APPLICATION AND WITHDRAWAL OF OPPOSITION WITH CONSENT was filed online with the Trademark Trial and Appeal Board using the ESTTA this 30th day of December, 2021.

By: /Amy Brozenic/
Amy Brozenic

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of December 2021, a true and complete copy of the foregoing NOTICE OF EXPRESS ABANDONMENT OF APPLICATION AND WITHDRAWAL OF OPPOSITION WITH CONSENT has been served on the following counsel for the Applicant by forwarding said copy via electronic mail to:

D. Peter Harvey at pharvey@harvey.law