

ESTTA Tracking number: **ESTTA1345297**Filing date: **03/11/2024**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding no.	91289102
Party	Plaintiff Biocartis NV
Correspondence address	CLIFFORD D. HYRA FRESH IP PLC 11710 PLAZA AMERICA DRIVE SUITE 2000 RESTON, VA 20190 UNITED STATES Primary email: cliff@freship.com Secondary email(s): docketing@freship.com, Michael@freship.com, micah@freship.com, Regina@freship.com 8669133499
Submission	Withdrawal of Opposition
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Signature	/Micah Gunn/
Date	03/11/2024
Attachments	20240311-WthdrwOppB4Ans.pdf(199327 bytes)

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

Biocartis NV)	
)	
Opposer,)	Opposition No.: 91289102
)	Ser. Nos.: 90450945
v.)	
)	
Bio-Diagnostics Limited)	
)	
Applicant)	
)	

WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE

Opposer, Biocartis NV, hereby requests withdrawal of the present opposition to Applicant’s, Bio-Diagnostics Limited, US Trademark Application No. 90450945 (the “Application”) without prejudice.

On August 8 and November 6, 2023, Opposer obtained an extension to Oppose the Application. During that time, the parties were engaged in settlement discussions. On January 5, 2024, Applicant filed a post-publication amendment to amend its Application pursuant to said discussions. On January 8, 2024, Opposer opposed Applicant’s Application on the last possible day to retain its right to carry out opposition in the event that Applicant’s post-publication amendments were not accepted. On February 8, 2024, Opposer agreed to extend the time for Applicant to Answer the Opposition to continue settlement discussions. On February 10, the USPTO accepted Applicant’s post-publication amendments to the Application.

An opposition may be withdrawn without prejudice before the answer is filed, and as of this filing, the Applicant has not filed an Answer to the present Opposition. 37 CFR § 2.106(c). Therefore, Opposer hereby withdraws the present Opposition without prejudice.

RESPECTFULLY SUBMITTED

FRESH IP PLC

/Micah Gunn/

Micah Gunn

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ATTORNEYS FOR OPPOSER

Biocartis NV

March 11, 2024

CERTIFICATE OF SERVICE

The undersigned certifies that a true and complete copy of the foregoing WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE has been served on counsel for Applicant on this day by email as follows:

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/Micah Gunn/

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March 11, 2024