

ESTTA Tracking number: **ESTTA304625**

Filing date: **09/04/2009**

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

Proceeding	92049968
Party	Plaintiff Kieu Phan
Correspondence Address	Dwayne K. Goetzel Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. P. O. Box 398 Austin, TX 78767-0398 UNITED STATES dgoetzel@intprop.com
Submission	Withdrawal of Cancellation
Filer's Name	Dwayne K. Goetzel
Filer's e-mail	dkgpto@intprop.com
Signature	/Dwayne K. Goetzel/
Date	09/04/2009
Attachments	Stipulation.Dismissal.pdf (2 pages)(37530 bytes)

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

In the Matter of Registration No. 3,092,522 owned by A.R. Neuburger, Inc. d/b/a Guardian
Products for the Mark: **Bra Saver**; International Class 22; Registered on May 16, 2006

Kieu Phan, an individual)	
)	
Petitioner)	
)	
v.)	Cancellation No.: 92049968
)	
A.R. Neuburger, Inc.)	
d/b/a Guardian Products)	
)	
Respondent)	
)	

STIPULATION OF DISMISSAL WITH PREJUDICE

Regarding the instant cancellation, the parties have reached a settlement and coexistence agreement, and through their respective counsel, hereby stipulate to dismiss this cancellation with prejudice.

Respectfully submitted,

Dated: September 4, 2009

By: 

Dwayne K. Goetzel
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**ATTORNEYS FOR PETITIONER
KIEU PHAN**

Dated: August 12, 2009

By: 
Marc M. Gorelnik

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GUARDIAN PRODUCTS