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Filing date: **09/29/2010**

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

Proceeding	92052677
Party	Plaintiff Doctors Nutrition LLC
Correspondence Address	JASON R. LEE LEE, LEE & ASSOCIATES, P.C. 2531 JACKSON ROAD, SUITE 234 ANN ARBOR, MI 48103 UNITED STATES jason@llapc.com
Submission	Withdrawal of Cancellation
Filer's Name	Jason R. Lee
Filer's e-mail	jason@llapc.com
Signature	/Jason R. Lee/
Date	09/29/2010
Attachments	Withdrawal of Cancellation.pdf ( 2 pages )(140749 bytes )

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

Doctors Nutrition LLC, formerly The Jimmy L Fox	)	
Janine D Fox USA Partnership	)	
Petitioner,	)	Cancellation No. 92052677
	)	In the Matter of
v.	)	Registration No. 3663306
	)	Filed: January 21, 2009
DRS Nutrition LLC	)	Mark: DRS Nutrition
Respondent.	)	Published: May 19, 2009
	)	Registered: August 4, 2009

**WITHDRAWAL OF CANCELLATION**

Petitioner, Doctors Nutrition LLC (Petitioner), a Mississippi Limited Liability Company, having its principal place of business at 721 Cowan Road, Gulfport, MS 39507, and Respondent, DRS Nutrition LLC (Respondent), a North Carolina limited liability company with a place of business in Benson, North Carolina, have amicably executed a coexistence agreement. In light of this agreement, and as expressly prescribed by this agreement, Petitioner now requests the immediate withdrawal of their Petition For Cancellation, No. 92052677, with prejudice. This request supersedes and replaces the previous request for withdrawal filed on this same day.

Dates this 29<sup>th</sup> day of September, 2010.

Respectfully Submitted,  
Doctors Nutrition LLC

By: /Jason R. Lee/  
Jason R. Lee, Esq.  
Attorney for Petitioner

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I certify that the foregoing paper is being filed electronically via the Electronic System for Trademark Trials and Appeals (ESTTA).

Date: September 29, 2010

/ Jason R. Lee /  
Jason R. Lee

**CERTIFICATE OF SERVICE**

I hereby certify that on September 29, 2010, a true and correct copy of the foregoing Withdrawal of Cancellation was served upon attorney for Respondent:

Anthony J. Biller  
COATS & BENNETT, PLLC  
1400 CRESCENT GREEN, SUITE 300  
CARY, NC 27518  
UNITED STATES  
[abiller@coatsandbennett.com](mailto:abiller@coatsandbennett.com)

By Electronic Mail addressed to the email address listed above, per consent of both parties.

Date: September 29, 2010

/ Jason R. Lee /  
Jason R. Lee