

ESTTA Tracking number: **ESTTA502906**

Filing date: **10/31/2012**

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

Proceeding	92055600
Party	Plaintiff Clear Institute, Inc. and Vibe For Health, Inc.
Correspondence Address	TERENCE J LINN GARDNER LINN BURKHART & FLORY LLP 2851 CHARLEVOIX DRIVE SE, SUITE 207 GRAND RAPIDS, MI 49546 UNITED STATES linn@glbf.com, visser@glbf.com
Submission	Withdrawal of Cancellation
Filer's Name	Terence J. Linn
Filer's e-mail	linn@glbf.com, visser@glbf.com
Signature	/Terence J. Linn/
Date	10/31/2012
Attachments	Withdrawal of Petition for Cancellation.pdf (1 page)(12081 bytes)

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

In the Matter of U.S. Trademark Registration No. 3,577,078
Date of Registration: February 17, 2009
Mark: THE VIBE

CLEAR INSTITUTE, INC. and)	
VIBE FOR HEALTH, INC.)	
)	
Petitioners,)	
v.)	Cancellation No. 92055600
)	
RAFFEL SYSTEMS, LLC)	
)	
Registrant.)	
)	

WITHDRAWAL OF PETITION FOR CANCELLATION

Petitioners and Registrant have resolved the dispute of the current proceeding by way of Assignment of the subject Registration No. 3,577,078 to Petitioner Vibe For Health, Inc., recorded at Reel 4890, Frame 0236. In view of that resolution, Petitioners hereby withdraw their petition for cancellation of Registration No. 3,577,078 and request that the above-identified cancellation proceeding be dismissed with prejudice.

Respectfully submitted,

/s/ Terence J. Linn

Terence J. Linn
Gardner, Linn, Burkhart & Flory, LLP
2851 Charlevoix Drive SE, Suite 207
Grand Rapids, Michigan 49546
(616) 975-5500
Email: linn@glbf.com
Attorney for Petitioners

Dated: October 31, 2012

CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2012 a true and correct copy of the foregoing document was sent by first class mail, postage prepaid, to Registrant's Attorney as follows:

David A. Payne, Esq.
Casimir Jones, S.C.
2275 Deming Way, Suite 310
Middleton, WI 53562

/Terence J. Linn/