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Filing date: **06/26/2013**

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

Proceeding	92056352
Party	Plaintiff Blackstone/OTR, LLC
Correspondence Address	TODD DEVEAU THOMAS HORSTEMEYER LLP 400 INTERSTATE NORTH PARKWAY SE, SUITE 1500 ATLANTA, GA 30339 UNITED STATES todd.deveau@thomashorstemeyer.com
Submission	Withdrawal of Cancellation
Filer's Name	Todd Deveau
Filer's e-mail	trademarks@thomashorstemeyer.com, todd.deveau@thomashorstemeyer.com, amy.kwon@thomashorstemeyer.com
Signature	/Todd Deveau/
Date	06/26/2013
Attachments	01859194.PDF(63049 bytes)

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

In Re Trademark Registration No.: 3,851,316

For the Mark: AERIAL MAX
Registered on September 21, 2010

_____)	
Blackstone/OTR, LLC)	
)	Cancellation No. 92056352
Petitioner)	
)	
v.)	
)	
Maine Industrial Tire, LLC)	
)	
Registrant.)	
_____)	

WITHDRAWAL OF PETITION FOR CANCELLATION, WITH PREJUDICE, WITH CONSENT

In accordance with and pursuant to a Settlement Agreement and Section 601.02 of the Trademark Trial and Appeal Board Manual of Procedure, Petitioner, Blackstone/OTR, LLC, and Registrant, Maine Industrial Tire, LLC, by their respective attorneys, hereby stipulate and agree that the Petition for Cancellation in the above-captioned action should be withdrawn, with prejudice, with each party to bear its own costs and attorneys' fees. Registrant expressly consents in writing below to the withdrawal of this cancellation with prejudice.


Dated: June 26, 2013

Blackstone/OTR, LLC



Todd Deveau
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Attorney for Petitioner

Consented:
Maine Industrial Tire, LLC



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Registrant.)	
_____)	

CERTIFICATE OF SERVICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that a copy of the Withdrawal of Petition for Cancellation filed with the United States Patent and Trademark Office Trademark Trial and Appeal Board on June 26, 2013, is being deposited with the United States Postal Service on the date shown below, with sufficient postage as first class mail, in an envelope addressed to:

DEBORAH L. BENSON
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28 STATE ST
BOSTON, MA 02109-1775

Respectfully submitted,
Thomas|Horstemeyer, LLP
/Todd Deveau/

Todd Deveau, Reg. No. 29,526
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