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Filing date: **08/10/2023**

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

Proceeding no.	92079957
Party	Plaintiff Optera, Inc.
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Submission	Withdrawal of Petition to Cancel
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Date	08/10/2023
Attachments	Executed - Consented Motion For Withdrawal Dismissal wo Prejudice.pdf(283631 bytes )

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

In the Matter of Reg. No. 3,391,032  
Registered on March 4, 2008

OPTERA, INC.  Petitioner,  v.  PLANT DEVELOPMENT SERVICES, INC.,  Registrant.	Cancellation No. 92079957  <b><u>CONSENTED MOTION FOR WITHDRAWAL &amp; DISMISSAL WITHOUT PREJUDICE</u></b>
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The parties to this Cancellation have reached an agreement whereby Optera, Inc. ("Petitioner") has agreed to withdraw the Cancellation without prejudice and with the express consent of the Plant Development Services, Inc. ("Registrant").

Pursuant to Section 601.01 of the Trademark Trial and Appeal Board Manual of Procedure ("TBMP") and Section 2.106(c) of title 37 of the Code of Federal Regulations, Petitioner expressly withdraws without prejudice Cancellation No. 92079957 regarding U.S. Registration 3,391,032 for the trademark **OPTERA CREATIVE**, with Registrant's written consent, as reflected by the parties signatures below.

[SIGNATURES ON NEXT PAGE]

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**Attorney for Petitioner  
Petitioner Optera, Inc.**

8/7/23  
Date: \_\_\_\_\_

BREINER & BREINER, L.L.C.

By: 

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**Attorney for Registrant  
Plant Development Services, Inc.**

8/4/23  
Date: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **CONSENTED MOTION FOR WITHDRAWAL & DISMISSAL WITHOUT PREJUDICE** has been served upon Registrant's counsel on August 10, 2023, via email as follows:

Theodore A. Breiner  
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