

ESTTA Tracking number: **ESTTA845330**

Filing date: **09/12/2017**

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

Proceeding	91230031
Party	Plaintiff Akeso Health Sciences, LLC
Correspondence Address	MARLENE J WILLIAMS NIXON PEABODY LLP P O BOX 26769 SAN FRANCISCO, CA 94126-6769 UNITED STATES Email: sftrademarks@nixonpeabody.com
Submission	Withdrawal of Opposition
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Date	09/12/2017
Attachments	Request for Withdrawal of Opposition Without Prejudice.pdf(10749 bytes) Exhibit A to Request for Withdrawal.pdf(66290 bytes) Exhibit B to Request for Withdrawal.pdf(55836 bytes)

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

Akeso Health Sciences, LLC,

Opposer,

vs.

Quantum, Inc.,

Applicant.

Opposition No. 91230031

Mark: MIGRELIEF

Serial No. 86/857160

Filing Date: December 22, 2015

Published: May 17, 2016

**OPPOSER'S REQUEST FOR WITHDRAWAL
OF OPPOSITION WITHOUT PREJUDICE**

Opposer Akeso Health Sciences, LLC ("Opposer") hereby requests withdrawal of the above Opposition.

This Opposition has been suspended pending a final determination in a federal lawsuit involving Opposer and Applicant Quantum, Inc., United States District Court, District of Oregon, Portland Division, Civ. No. 3:16-cv-00334-JE (the "Civil Action"). Judgment has been entered in the Civil Action requiring Applicant Quantum, Inc. ("Quantum") to assign the opposed application to Opposer. A copy of the Judgment dated August 8, 2017 is attached hereto as Exhibit A. This assignment has been completed and recorded with the Assignment Division at Reel/Frame: 6138/0111. A copy of the Notice of Recordation dated August 28, 2017 is attached hereto as Exhibit B. Given that the opposed application is now owned by Opposer, the opposition is moot.

Because no answer has yet been filed, Opposer respectfully withdraws the opposition without prejudice pursuant to 37. C.F.R. § 2.106(c).

Respectfully submitted,

NIXON PEABODY LLP

Dated: September 12, 2017

By: /s/ Marlene J. Williams

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Attorneys for Akeso Health Sciences, LLC

CERTIFICATE OF SERVICE

I, Kerry Kappler, hereby certify that a true and correct copy of OPPOSER'S REQUEST
FOR WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE has been served on

Applicant at the correspondence address of record:

David P. Petersen
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by e-mail, on this 12th day of September, 2017.

By: /s/
Kerry Kappler

EXHIBIT A

Explore Litigation Insights

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