

SEARS, ROEBUCK & COMPANY
Opposer,

INTER PARTES CASE NO. 3033

OPPOSITION TO:

- versus -

Application Serial No. 54338
Filed : July 31, 1984
Applicant : Ramcar Incorporated
Trademark : ORIENTAL DIEHARD
AND DEVICE
Used on : Storage Batteries

RAMCAR INCORPORATED,
Respondent-Applicant.

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DECISION NO. 89-3 (TM)
January 26, 1989

DECISION

On January 21, 1988, Opposer by counsel filed a Notice of Opposition against the registration of the above trademark application.

After issues were joined by the filing of an Answer, the case was set for pre-trial conference on June 28, 1988. Pending termination of the said pre-trial conference, Respondent-Applicant filed on January 23, 1989 a Withdrawal of Application, which reads:

“Respondent-Applicant Ramcar, Inc., by counsel, respectfully states that it has decided not to pursue, and it therefore withdraws, its application for the trademark ORIENTAL DIEHARD AND DEVICE.

WHEREFORE, premises considered, the herein Notice of Opposition is DISMISSED for being moot.

Let the records of this case be remanded to the Application, Issuance & Publication Division for appropriate action in accordance with this Decision

SO ORDERED.

IGNACIO S. SAPALO
Director