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

In the Matter of Application Serial No. 76/229,239
Published in the Official Gazette of July 16, 2002



05-14-2004

U.S. Patent & TMO/TM Mail Rcpt Dt. #78

TOHO CO., LTD.,

Opposer,

vs.

CARLTON AND MCGRAW PARTNERSHIP

Applicant.

Opposition No. 91155,020

CERTIFICATE OF MAILING

I hereby certify that on May 14, 2004, this paper is being deposited with the U.S. Postal Service by "Express Mail Post Office to Addressee" service with Express Mail No. EV131936294US for delivery to the Commissioner for Trademarks, Box TTAB NO FEE, 2900 Crystal Drive, Arlington, VA 22202-3513.

Eleanor Elko

Eleanor Elko

STIPULATION FOR RESUMPTION OF PROCEEDINGS AND DISMISSAL OF NOTICE OF OPPOSITION WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record for opposer Toho Co., Ltd. and applicant Carlton and McGraw Partnership, pursuant to their settlement of this matter, as follows:

1. This case may be removed from the suspension ordered in the Board's December 18, 2003 order; and
2. Opposer's Notice of Opposition is hereby dismissed without prejudice.

Dated: May 13, 2004

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By: *Joan Kupersmith Larkin*

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TOHO CO., LTD.

Dated: May 4, 2004

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By: *Thomas I. Rozsa*

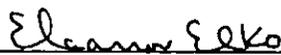
Thomas I. Rozsa
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CARLTON AND MCGRAW PARTNERSHIP

OK

CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2004, I served the foregoing Stipulation for Resumption of Proceedings and Dismissal of Notice of Opposition Without Prejudice on the applicant by depositing a true copy thereof in a sealed envelope, postage prepaid, in First-Class U.S. mail addressed to applicant's counsel as follows:

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