

NEXX03-01

TRADEMARK

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

In the Matter of Application Serial No. 76/404,827

Published in the *Official Gazette* of January 14, 2003

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NEXX ONLINE, INC.,	:	
	:	
Opposer,	:	Opposition No. 91155050
	:	
v.	:	
	:	
NEXX LLC,	:	
	:	
Applicant.	:	
-----X	:	

**STIPULATION FOR DISMISSAL WITH PREJUDICE**

Opposer Nexx Online, Inc. and Applicant NEXX LLC, by and through their undersigned counsel, having entered into a settlement agreement, hereby stipulate that the above Opposition be dismissed with prejudice.

Presented and agreed to by:

  
 Scott W. Petersen  
 Lewis T. Steadman, Jr.  
 HOLLAND & KNIGHT LLC  
 131 South Dearborn Street, 30th Floor  
 Chicago, IL 60603

Attorneys for Opposer  
Nexx Online, Inc.

January 20, 2004

  
 Robert Ryan Morishita  
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 2725 S. Jones Blvd., Suite 102  
 Las Vegas, NV 89146

Attorneys for Applicant  
NEXX LLC

January 26, 2004

ttab

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02-06-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

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 Opposer, :  
 :  
 v. :  
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 NEXX LLC, :  
 :  
 Applicant. :  
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Opposition No. 91155050

Agreed Motion to Dismiss

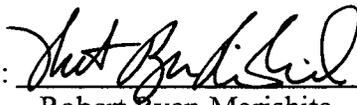
**AGREED MOTION TO DISMISS**

Pursuant to T.B.M.P. 605.03(a), NEXX, L.L.C., having entering into a settlement agreement with Nexx Online, Inc., respectfully moves the Board for dismissal with prejudice of the above-referenced Opposition proceeding in accordance with the Stipulation for Dismissal With Prejudice attached hereto.

Respectfully submitted,

ANDERSON & MORISHITA

Dated: February 2, 2004

By:   
 Robert Ryan Morishita  
 2725 S. Jones Blvd., Suite 102  
 Las Vegas, NV 89146  
 (702) 222-2113

Certificate of Service

I hereby certify that a true and correct copy of the foregoing Agreed Motion to Dismiss was served on attorneys for Opposer on February 2, 2004 by First Class Mail, postage prepaid, as follows:

Scott W. Petersen  
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131 S. Dearborn St., 30th Floor  
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\_\_\_\_\_  
Robert Ryan Morishita  
Attorney for Applicant