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Attorneys for Opposer, RIVERSIDE COUNTY'S CREDIT UNION

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

In the matter of Trademark Application Serial No. 76/339023  
 For the mark "AUTOMOBILEXPERT"  
 Published in the Official Gazette on April 8, 2003

RIVERSIDE COUNTY'S CREDIT UNION, a )  
 California corporation )  
 )  
 Opposer, )  
 )  
 vs. )  
 )  
 THE SEIBELS BRUCE GROUP, INC., a South )  
 Carolina corporation, )  
 )  
 Applicant. )

OPPOSITION NO.: 91156770  
 Assigned to: ANDREW P. BAXLEY  
 )  
 [PROPOSED] ORDER AND STIPULATION  
 RE: DISMISSAL WITH PREJUDICE OF  
 INTER PARTES PROCEEDING

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**TO THE TRADEMARK TRIAL AND APPEAL BOARD, ALL PARTIES AND THEIR  
 ATTORNEYS IN THIS INTER PARTES PROCEEDING:**

This stipulation is entered into by and between Opposer, RIVERSIDE COUNTY'S CREDIT UNION ("OPPOSER"), and Defendant, THE SEIBELS BRUCE GROUP, INC. ("APPLICANT"), by and through their respective attorneys.

### RECITALS

**WHEREAS, OPPOSER** filed a Notice of Opposition on or about June 6, 2003 against the Applicant for the mark "AUTOMOBILEXPERT", which published in the Official Gazette on April 8, 2003 under Trademark Application No. 76/339023.

**WHEREAS, OPPOSER** is the owner of United States Application Nos.: 76/474719; 76/474720; 76/474755; 76/474756; 76/519561 and 76/520565, all of which have a common identifying surname (AUTO EXPERT) that denotes a trade source for the services provided, "dealership service in the field of used vehicles, namely motor vehicles; computerized on-line ordering and retail services of vehicles; holding auctions and the auctioning of used vehicles" in International Class 35, and for "financing the purchase and leasing of vehicles, namely motor vehicles; underwriting and administration of insurance agreements, service agreements, prepaid maintenance agreements, and debt cancellation agreements, all related to motor vehicles" in International Class 36;

**WHEREAS, APPLICANT** is the owner of United States Application No. 76/339023, an application for trademark registration pending before the USPTO for the mark "AUTOMOBILEXPERT" for "providing online insurance services, namely, providing online insurance premium quotes for automobile policies" in International Class 36;

**WHEREAS, APPLICANT** filed an answer on or about August 6, 2003;

WHEREAS, OPPOSER and APPLICANT mutually sought settlement negotiations for the efficient resolution of this proceeding;

WHEREAS, OPPOSER and APPLICANT mutually entered into a Consent Agreement for the efficient resolution of this proceeding.

**STIPULATIONS**

1. OPPOSER agrees to dismiss Opposition Proceeding No. 91156770 with prejudice; and
2. OPPOSER agrees that United States Application No. 76/339023 should proceed immediately to registration upon dismissal of this proceeding.

DATED: January 29, 2004

McNAIR LAW FIRM, P.A.

By:

Elizabeth D. Christian

DOUGLAS W. KIM

ELIZABETH D. CHRISTIAN

Attorneys for Applicant, THE SEIBELS  
BRUCE GROUP, INC.

DATED: January 30, 2004

THE WALKER LAW FIRM,  
A Professional Corporation

By:

Allan H. Grant

JOSEPH A. WALKER

ALLAN H. GRANT

Attorneys for Opposer, RIVERSIDE  
COUNTY'S CREDIT UNION

**ORDER****IT IS HEREBY ORDERED THAT:**

1. Opposition Proceeding No. 91156770 is dismissed with prejudice; and
2. United States Application No. 76/339023 shall proceed to registration..

DATED: \_\_\_\_\_, 2004.

\_\_\_\_\_  
Trademark Trial and Appeal Board, United  
States Patent and Trademark Office

**PROOF OF SERVICE  
(37 C.F.R. § 2.119(a); TBMP § 113)**

The undersigned declares as follows:

I am employed in the County of Orange, California. I am over the age of eighteen years and not a party to the within-entitled proceeding. My business address is 1301 Dove Street, Suite 450, Newport Beach, CA 92660.

On the date set forth below, following ordinary business practice, I served a copy of **[PROPOSED] ORDER AND STIPULATION RE: DISMISSAL WITH PREJUDICE OF INTER PARTES PROCEEDING** on the following person(s) in this action:

Elizabeth D. Christian, Esq.  
McNair Law Firm  
P.O. Box 10827  
Greenville, South Carolina 29603

(BY MAIL) I am readily familiar with this firm's practice of collection and processing of correspondence for mailing in the United States Postal Service. In the ordinary course of business, the correspondence would be deposited with the U.S. Postal Service on the same day it is prepared, with the postage fully paid. I caused the above-mentioned document(s) to be deposited in the United States Postal Service, in a sealed envelope with postage fully prepaid and addressed to the person(s) being served, at Newport Beach, California.

(BY OVERNIGHT DELIVERY) I caused the above-mentioned document(s) to be delivered to an overnight (express) delivery carrier, in an envelope designated by said overnight delivery carrier and addressed to the person(s) being served, with delivery fees provided for.

(BY MESSENGER) I caused the above-mentioned document(s) to be placed in a sealed envelope and delivered by hand this date to the offices of the person(s) being served.

(BY FACSIMILE) I caused the above-mentioned document(s) to be transmitted this date by facsimile transmission to the persons being served, from Newport Beach, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in Newport Beach, CA.

February 26, 2004  
(Date)

Allan H. Grant  
Allan H. Grant

THE  
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 INTELLECTUAL PROPERTY LAW  
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 \*Registered Patent Attorney

Rebecca E. Weiss  
 Jason M. Lamb  
 OF COUNSEL  
 David T. Sanford

**FACSIMILE COVER SHEET**

DATE: March 15, 2004

TIME: 3:50 p.m.

ATTN: Andrew P. Baxley, Esq.

TO: Trademark Trial & Appeal Board FROM: ALLAN GRANT  
 (TTAB)

THE WALKER LAW FIRM  
 FAX NO.: (949) 752-0439

FAX NO: (703) 308-9333

OPPOSITION NO: 91156770

RE: Proposed Order & Stipulation of  
 dismissal with prejudice

**DOCUMENTS(S) ATTACHED:**

*Dear Mr. Baxley,*

*Please find enclosed a copy of the [Proposed] order and stipulation re: dismissal with prejudice of inter parties proceeding. The stipulation has been signed by both parties. As you know, the proposed order has not yet been signed.*

*If you have any other questions or concerns please feel free to give me a call as soon as possible at (949) 752-2522.*

*Sincerely,*

Allan Grant

THE FOLLOWING TRANSMISSION CONSISTS OF 6 PAGE(S), INCLUDING THIS COVER SHEET. IF THERE IS ANY TRANSMITTAL PROBLEM, PLEASE CONTACT THE UNDERSIGNED AT (949) 752-2522.

SIGNED: 

ALLAN GRANT

THE INFORMATION CONTAINED IN THIS TELECOPIER MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS BELOW VIA THE U.S. POSTAL SERVICE. THANK YOU.