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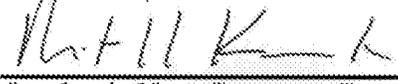
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91159234
Party	Defendant NeoPets, Inc. NeoPets, Inc. 412 West Broadway Avenue Suite 300 Glendale, CA 91204
Correspondence Address	STEPHANIE YOST CAMERON NEOPETS, INC. 412 WEST BROADWAY AVENUE SUITE 300 GLENDALE, CA 91204
Submission	Withdrawal of Counterclaim
Filer's Name	Mitchell Kamarck
Filer's e-mail	mitchellk@neopets.com
Signature	/Mitchell Kamarck/
Date	08/01/2006
Attachments	dismissal2.pdf ( 2 pages )(270981 bytes )

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

JOSEPH ENTERPRISES, INC.,	)	Opposition No. 91159234
	)	
Opposer,	)	
	)	
vs.	)	<b>NEOPETS, INC.'S MOTION TO</b>
	)	<b>DISMISS COUNTERCLAIM</b>
NEOPETS, INC.,	)	<b>PURSUANT TO RULE 12(b)</b>
	)	
Applicant.	)	
.....	)	

The Applicant hereby moves, without prejudice, to dismiss its counterclaim in the above-identified Opposition pursuant to the parties' settlement.

Respectfully Submitted,  
  
NEOPETS, INC.  
  
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Stephanie Yost Cameron, Esq.  
Mitchell D. Kamarck, Esq.  
NeoPets, Inc.  
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Glendale, CA 91203  
818-551-7562 (phone)  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 and Mary Shapiro, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, California 94111-3834 on July 31, 2006.

Date: July 31, 2006

By: M. D. Kamarek  
Mitchell D. Kamarek, Esq.  
NeoPets, Inc.