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Filing date: **07/24/2007**

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

|                        |  |
|------------------------|--|
| Proceeding             | 91174365   |
| Party                  | Plaintiff<br>Starbucks U.S. Brands, LLC, Starbucks Corporation d/b/a Starbucks Coffee Company  |
| Correspondence Address | Julia Anne Matheson<br>Finnegan Henderson Farabow Garrett and Dunner LLP<br>1300 I STREET, N.W.<br>WASHINGTON, DC 20001-4413<br>UNITED STATES<br>docketing@finnegan.com, andrew.pittman@finnegan.com |
| Submission             | Other Motions/Papers   |
| Filer's Name           | Julia Anne Matheson  |
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| Signature              | /Julia Anne Matheson/  |
| Date                   | 07/24/2007   |
| Attachments            | 0004132.PDF ( 3 pages )(111434 bytes )   |

**EXHIBIT A**

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

|                                |   |                           |
|--------------------------------|---|---------------------------|
| STARBUCKS U.S. BRANDS, LLC and | ) |                           |
| STARBUCKS CORPORATION DBA      | ) |                           |
| STARBUCKS COFFEE COMPANY,      | ) |                           |
|                                | ) |                           |
| Opposers                       | ) | Opposition No. 91174365   |
|                                | ) |                           |
| v.                             | ) |                           |
|                                | ) | Serial No. 78/728,596     |
| ROBERT K. BURGESS,             | ) | Filed: October 7, 2005    |
|                                | ) | Published: June 6, 2006   |
| Applicant.                     | ) | Mark: THE BUCK STARS HERE |
| _____                          | ) |                           |

**STIPULATION TO AMEND APPLICATION AND WITHDRAWAL OF OPPOSITION  
WITHOUT PREJUDICE**

The parties hereby stipulate to Applicant's amendment to the identification of services in Application Serial No. 78/728,596 as follows:

1. To delete International Class 43 in its entirety;
2. To delete the existing identification in Class 35 and substitute therefor the

following:

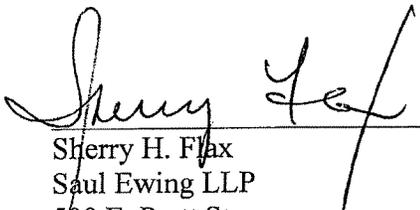
Retail discount store services in the field of general consumer merchandise, consumer electronics, housewares, cosmetics, jewelry, stationery, bags, games and playthings, eyewear, gifts, candy, sundries, and apparel and specifically excluding ground and whole bean coffee; cocoa; herbal and non-herbal teas; coffee, tea, cocoa, and espresso beverages, and beverages made with a base of coffee, tea, cocoa, and/or espresso, instant coffee and coffee substitutes; ready to drink coffee beverages" in International Class 35

The proposed amendments are limiting in nature, and thus in compliance with Trademark Rules 2.71 and 2.75. Opposers Starbucks U.S. Brands, LLC and Starbucks Corporation consent to entry of the above amendments in accordance with Trademark Rule 2.133.

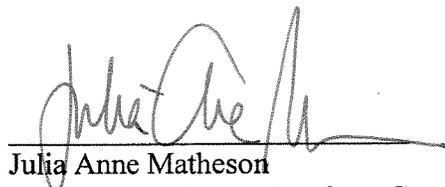
Opposers hereby withdraw the above-referenced opposition without prejudice, contingent upon the Board's entry of Applicant's amendments to the identification of services in Application Serial No. 78/728,596.

Applicant consents to the withdrawal of the opposition without prejudice under Trademark Rule 2.106(c).

Respectfully submitted,

  
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Dated 7/24/2007

Attorney for Opposers  
STARBUCKS U.S. BRANDS, LLC AND  
STARBUCKS CORPORATION D/B/A  
STARBUCKS COFFEE COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing STIPULATION TO AMEND APPLICATION AND WITHDRAWAL OF OPPOSITION WITHOUT PREJUDICE was served by first class mail, postage prepaid, on the following attorney for Applicant:

Sherry H. Flax  
Saul Ewing LLP  
500 E. Pratt St.  
Baltimore, MD 21202

  
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Rose Davis