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

Proceeding	91175892
Party	Plaintiff Microsoft Corporation
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Submission	Opposition/Response to Motion
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Date	09/21/2007
Attachments	SP-Microsoft_sNotReg-FurtherOppApplicant_sRule12Motion (2).PDF (2 pages) (33042 bytes)

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

MICROSOFT CORPORATION,)	
)	
Opposer,)	Opposition No. 91175892
)	(Consolidated with Opposition No. 91175893)
v.)	
)	Serial Nos. 78/938513
MARK T. DANIEL,)	78/930482
)	
Applicant.)	Attorney Docket Nos. 664005.898
)	664005.899

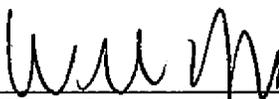
**OPPOSER MICROSOFT'S NOTICE OF TRADEMARK REGISTRATION
IN FURTHER OPPOSITION TO APPLICANT'S RULE 12 MOTION**

Opposer Microsoft Corporation submits this notice that its trademark application, Serial No. 78/977970 for its ZUNE mark issued as U.S. Registration No. 3294152 on September 18, 2007, with an effective filing date of May 29, 2006. Opposer's priority date of May 29, 2006 is senior to Applicant's July 16, 2006 and July 26, 2006 filing dates.

The Board recognized in its May 8, 2007 Order that Opposer's priority claim provides an independent basis to oppose Applicant's intent-to-use applications (TTAB's May 8, 2007 Order at 2), and therefore provides an independent basis to deny Applicant's Motion to Dismiss.

DATED this 21st day of September, 2007.

SEED IP Law Group PLLC



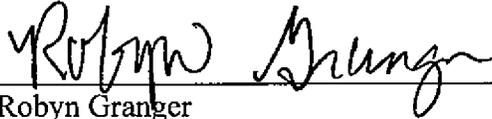
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MICROSOFT CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of September, 2007, the foregoing OPPOSER MICROSOFT'S NOTICE OF TRADEMARK REGISTRATION IN FURTHER OPPOSITION TO APPLICANT'S RULE 12 MOTION was served upon Applicant by depositing same with the U.S. Postal Service, first-class postage prepaid, addressed as follows:

Mark T. Daniel
2316 York Road SW
Roanoke, VA 24015-3906



Robyn Granger