

ESTTA Tracking number: **ESTTA183417**

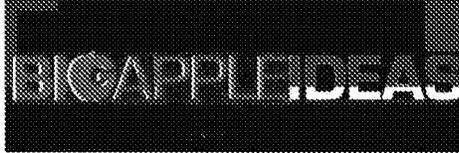
Filing date: **12/27/2007**

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

Proceeding	91178987
Party	Defendant Big Apple Ideas, LLC
Correspondence Address	John Dailey Big Apple Ideas, LLC 4726 New Broad St # 202 Orlando, FL 32814 UNITED STATES john@jtdmail.com
Submission	Other Motions/Papers
Filer's Name	John T. Dailey
Filer's e-mail	john@jtdmail.com
Signature	/John T. Dailey/
Date	12/27/2007
Attachments	Application 78922138 Opposition 91178987 Stipulation and Certificate.pdf ( 4 pages )(244628 bytes )

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

In the Matter of Application Serial No. 78/922,138



For the mark:

Filed: July 3, 2006

Published: February 20, 2007

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APPLE INC.,

: Opposition No.: 91,178,987

Opposer,

v.

BIG APPLE IDEAS, LLC,

Applicant.  
-----X

**CONDITIONAL STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

Applicant, through its attorney of record, submitted a post-publication amendment to the Trademark Trial and Appeal Board to amend the description of goods and services contained in Application Serial No. 78/922,138 on November 21, 2007. In accordance with Rule 2.133 of the Trademark Rules of Practice, 37 C.F.R. § 2.133, applicant has obtained Opposer's consent to the amendment.

**Remarks**

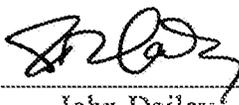
Upon approval and entry of this amendment by the Board, the parties stipulate that the

opposition and the claims and defenses asserted therein shall be dismissed without prejudice.

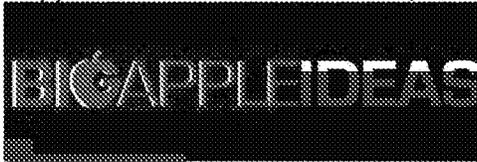
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Dated:

December 27 2007

By:   
\_\_\_\_\_ John Dailey

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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing Conditional Stipulation of Dismissal Without Prejudice was served on Opposer by depositing a true and correct copy in the first class mail, postage pre-paid, addressed as follows:

Joseph Petersen, Esq.  
Kilpatrick Stockton LLP  
31 West 52<sup>nd</sup> Street – 14<sup>th</sup> Floor  
New York, NY 10019

This <sup>27</sup> day of December, 2007.

\_\_\_\_\_  
John Dailey

**CERTIFICATE OF TRANSMITTAL**

I hereby certify that a true copy of the foregoing Stipulation and Certificate is being filed electronically with the TTAB via ESTTA on this day December 27, 2007.



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John T. Dailey