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

Proceeding	91194530
Party	Defendant Duane Kithinji Kingoriah, Paul Muruthi Wandimi, Joseph Muchemi Wandimi, Charlene Wangui Maina
Correspondence Address	PAUL MURUTHI WANDIMI WANYEE ROAD NAIROBI 25715,00603, KENYA paulmuruthi@gmail.com
Submission	Other Motions/Papers
Filer's Name	Joseph Muchemi Wandimi
Filer's e-mail	muchemi@gmail.com
Signature	/JMW/
Date	08/23/2010
Attachments	explanation.pdf (2 pages)(19670 bytes)

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

In the matter of application Serial No.77/769,840
For the Trademark SAFARIBOOK
Published in the Official Gazette on December 15, 2009

FACEBOOK, INC.,
Opposer,

v.

KINGORIAH DUANE KITHINJI,
WANDIMI PAUL MURUTHI,
WANDIMI JOSEPH MUCHEM I,
MARINA CHARLENE WANGUI,
Joint Applicants.

**EXPLANATION FOR LATE RESPONSE TO NOTICE OF OPPOSITION NO.
91194530**

We Kingoriah Duane Kithinji, Wandimi Paul Muruthi, Wandimi Joseph Muchemi, Marina Charlene Wangui (“Joint Applicants”) regret that we have taken a long time to respond to the notice of opposition filed by Facebook Inc against our proposed trademark, Safaribook.

Some circumstances surrounding the business project for which we made the trademark application:

- 1) Logistical difficulties brought about by our being located on different continents
- 2) The four of us are in full time jobs not related to the business project

Under the above circumstances, we were not able to effectively work on and focus on our business project for most of the last several months. Consequently, the timeliness of receiving and synthesizing the notice of opposition and deciding how to respond to it, was affected.

Despite this, we have now managed to come to a decision. To that effect we have submitted on ESTTA a no-contest answer accepting the positive assertions made by Facebook Inc., and mailed a physical copy of the same to the Trademark Trials and Appeals Board and the attorney representing Facebook, Inc. In addition, we will follow up with a withdrawal of our application on ESTTA later today.

We appreciate your understanding on this matter.

Your sincerely,
Kingoriah, Duane Kithinji
Wandimi, Paul Muruthi
Wandimi, Joseph Muchemi
Marina, Charlene Wangui

A handwritten signature in blue ink, appearing to be 'J. Muchemi', written in a cursive style.

Dated: August 23, 2010

By:

Joseph Muchemi Wandimi
(On behalf of Joint Applicants)