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

Proceeding	91195064
Party	Plaintiff Datalogic S.p.A.
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Date	05/28/2010
Attachments	Notice of Non-opposition.pdf (2 pages)(17852 bytes)

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

Datalogic S.p.A.,)	
)	Opposition No. 91195064
)	
)	Application No. 77/776085
v.)	Published on December 1, 2009
)	
)	For the mark DATALOGIC 3000
Stevens Water Monitoring Systems, Inc.)	
)	
Applicant.)	

NOTICE OF NON-OPPOSITION

On May 28, 2010, Applicant Stevens Water Monitoring Systems, Inc. (“Applicant”), filed a paper [Docket No. 6] seeking to withdraw Applicant’s earlier-filed “Withdrawal of Application” [Docket No. 5], which purported to give notice of Applicant’s intent to abandon the opposed application, Ser. No. 77/776085. It is Opposer’s understanding that the “Withdrawal of Application” filed by Applicant on May 28, 2010 [Docket No. 5] was filed prematurely as the result of inadvertent error. As Applicant states in Docket No. 6, Applicant and Opposer are engaged in settlement discussions, which discussions are ongoing, and no final resolution of the matter has yet been reached. Accordingly, Opposer does not oppose Applicant’s request, set forth in Docket No. 6, to withdraw the “Withdrawal of Application,” Docket No. 5.

Dated: May 28, 2010

Respectfully submitted,
/s/ Steven E. Klein/
Steven E. Klein
STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
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Attorneys for Opposer

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **NOTICE OF NON-OPPOSITION** on the following named person on the date indicated below by:

- mailing with postage prepaid
- hand delivery
- facsimile transmission
- overnight delivery
- e-mail attachment in PDF format

to said person a true copy thereof, contained in a sealed envelope, addressed to said person at his last-known address indicated below.

ADAM KRUMBEIN
STEVENS WATER MONITORING SYSTEMS, INC.
12067 NE GLENN WIDING DR STE 106
PORTLAND, OR 97220-9109
akrumbein@stevenswater.com

DATED: May 28, 2010.

STOEL RIVES LLP

/s Steven E Klein/

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