

ESTTA Tracking number: **ESTTA476247**

Filing date: **06/05/2012**

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

Proceeding	91204123
Party	Plaintiff Fluidmaster, Inc.
Correspondence Address	RICHARD P SYBERT GORDON REES LLP 101 W BROADWAY STE 1600 SAN DIEGO, CA 92101 8217 UNITED STATES rsybert@gordonrees.com, smeyer@gordonrees.com, mmims@gordonrees.com
Submission	Other Motions/Papers
Filer's Name	Richard P Sybert
Filer's e-mail	ipdocket@gordonrees.com, rsybert@gordonrees.com, smeyer@gordonrees.com
Signature	/Richard P Sybert/
Date	06/05/2012
Attachments	Stipulated Dismissal of Opposition (Fully Executed).PDF (2 pages)(33766 bytes)

EXHIBIT A

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

FLUIDMASTER, INC.,

Opposer,

v.

LAVELLE INDUSTRIES, INC.,

Applicant.

Opposition No. 91/204,123

Application Serial No: 85/430,931

Mark: MAXPERFORMANCE

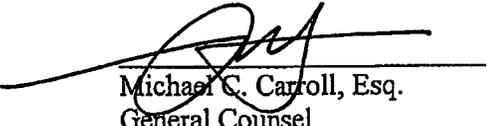
STIPULATED DISMISSAL OF OPPOSITION WITH PREJUDICE

A settlement has been reached by the parties in this opposition, pursuant to which the parties agree that the opposition should be dismissed and the parties hereby request that this opposition be dismissed with prejudice.

Dated: May 4, 2012

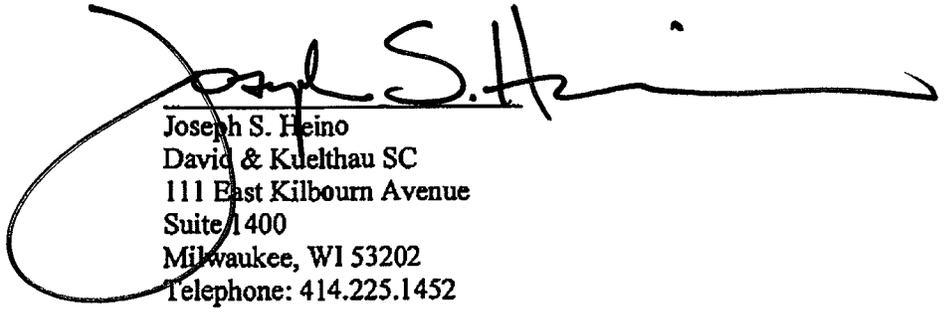
Respectfully submitted,

FLUIDMASTER, INC.


Michael C. Carroll, Esq.
General Counsel
Fluidmaster, Inc.
30800 Rancho Viejo Road
San Juan Capistrano
California, 92675
Phone: 949.728.2492
Fax: 949.340.7379

Attorneys for Opposer

LAVELLE INDUSTRIES, INC.

A large, stylized handwritten signature in black ink, appearing to read "Joseph S. Heino". The signature is written over a horizontal line that serves as a separator between the signature and the printed contact information.

Joseph S. Heino
David & Kuelthau SC
111 East Kilbourn Avenue
Suite 1400
Milwaukee, WI 53202
Telephone: 414.225.1452
Facsimile: 414.278.3652

Attorneys for Applicant