

No. 16-2109

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

Valhalla Game Studios Co. Ltd.

Appellant

v.

Valhalla Motion Pictures, Inc.,

Appellee

APPEAL FROM THE UNITED STATES TRADEMARK TRIAL AND
APPEAL BOARD

Opposition Proceeding No. 91204259

**STIPULATED MOTION TO VOLUNTARILY DISMISS APPEAL
AND [PROPOSED] ORDER OF DISMISSAL**

Pursuant to Federal Rule of Appellate Procedure 42(b), all parties hereby move the Court for an order dismissing the above-captioned appeal with prejudice.

The parties have agreed that each side shall bear its own costs, expenses and attorneys' fees on appeal.

This motion is based on this document, on the attached Stipulation of Dismissal, Certificate of Service and Certificate of Interest.

Respectfully submitted,

Dated: September 15, 2016

/s/ Marvin Gelfand, Esq.
Marvin Gelfand, Esq.
WEINTRAUB TOBIN CHEDIAK COLEMAN
GRODIN LAW CORPORATION
10250 Constellation Boulevard, Suite 2900
Los Angeles, CA 90067
(310) 858-7888

Attorney for Appellant
Valhalla Game Studios Co. Ltd.

Dated: September 15, 2016

/s/ Patrick Breen, Esq.
(e-signed with consent of Patrick Breen, Esq.)
Patrick Breen, Esq.
ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
515 South Figueroa Street, Ninth Floor
Los Angeles, CA 90071
(213) 622-5555

Attorney for Appellee
Valhalla Motion Pictures, Inc..

[PROPOSED] ORDER OF DISMISSAL

ON THIS DATE the Court considered the Stipulated Motion to Voluntarily Dismiss Appeal and the Stipulation of Dismissal filed by all parties in this case, and the Court having been advised by counsel for all parties that the parties have agreed that this action should be dismissed with prejudice and that all parties should bear their own court costs, expenses and legal fees, it is therefore,

ORDERED, ADJUDGED, and DECREED that:

1. The above-entitled and numbered case is hereby dismissed with prejudice to the refiling of the same.

2. Each party shall bear its own costs, expenses and attorney's fees incurred in connection with this litigation.

Dated: _____

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Appellant

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Appellee

APPEAL FROM THE UNITED STATES TRADEMARK TRIAL AND
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STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between Appellant Valhalla Game Studios Co. Ltd. and Appellee Valhalla Motion Pictures, Inc., pursuant to Federal Rule of Appellate Procedure 42(b), that all claims and counterclaims in this action are hereby dismissed WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys' fees.

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Dated: September 15, 2016

/s/ Marvin Gelfand
Marvin Gelfand, Esq.
WEINTRAUB TOBIN CHEDIAK COLEMAN
GRODIN LAW CORPORATION
10250 Constellation Boulevard, Suite 2900
Los Angeles, CA 90067
(310) 858-7888

Attorney for Appellant
Valhalla Game Studios Co. Ltd.

Dated: September 15, 2016

/s/ Patrick Breen, Esq.
(e-signed with consent of Patrick Breen, Esq.)
Patrick Breen, Esq.
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Attorney for Appellee
Valhalla Motion Pictures, Inc..

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Valhalla Game Studios Co. Ltd. v. Valhalla Motion Pictures, Inc.

Case No. 16-2109

CERTIFICATE OF INTEREST

Counsel for the:

(petitioner) (appellant) (respondent) (appellee) (amicus) (name of party)

Marvin Gelfand

certifies the following (use "None" if applicable; use extra sheets if necessary):

1. Full Name of Party Represented by me	2. Name of Real Party in interest (Please only include any real party in interest NOT identified in Question 3) represented by me is:	3. Parent corporations and publicly held companies that own 10 % or more of stock in the party
Valhalla Game Studios Co. Ltd.	Valhalla Game Studios Co. Ltd.	Valhalla Game Studios International Ltd.

4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court (**and who have not or will not enter an appearance in this case**) are:

Marvin Gelfand
Brittany J. Shugart
Weintraub Tobin Chediak Coleman Grodin Law Corporation

September 15, 2016
Date

/s/ Marvin Gelfand
Signature of counsel

Please Note: All questions must be answered

Marvin Gelfand
Printed name of counsel

cc: Patrick E. Breen



UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Valhalla Game Studios Co. Ltd. v. Valhalla Motion Pictures, Inc.

Case No. 16-2109

CERTIFICATE OF INTEREST

Counsel for the:

(petitioner) (appellant) (respondent) (appellee) (amicus) (name of party)

Patrick E. Breen

certifies the following (use "None" if applicable; use extra sheets if necessary):

1. Full Name of Party Represented by me	2. Name of Real Party in interest (Please only include any real party in interest NOT identified in Question 3) represented by me is:	3. Parent corporations and publicly held companies that own 10 % or more of stock in the party
Valhalla Motion Pictures, Inc.	Gale Anne Hurd	N/A

4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court (**and who have not or will not enter an appearance in this case**) are:
 Allen Matkins Leck Gamble Mallory & Natsis LLP; Patrick E. Breen

September 15, 2016
Date

/s/ Patrick E. Breen
(e-signed with consent of Patrick Breen)
Signature of counsel

Please Note: All questions must be answered

Patrick E. Breen
Printed name of counsel

cc: Marvin Gelfand

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

CERTIFICATE OF SERVICE

I certify that I served a copy on counsel of record on September 15, 2016

by:

- U.S. Mail
- Fax
- Hand
- Electronic Means (by E-mail or CM/ECF)

<u>Marvin Gelfand</u>	<u>/s/ Marvin Gelfand</u>
Name of Counsel	Signature of Counsel

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