ESTTA Tracking number: **ESTTA176490**
Filing date: **11/21/2007**

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

Proceeding	92043516
Party	Defendant Stich, Willi Lorenz
Correspondence Address	GREGORY RICHARDSON LAW OFFICES OF GREGORY RICHARDSON, ESQ. 3890 11TH STREET, SUITE 210 RIVERSIDE, CA 92501 UNITED STATES GREGORY@GREGORYRICHARDSONESQ.COM
Submission	Response to Board Order/Inquiry
Filer's Name	Gregory Richardson
Filer's e-mail	gregory@gregoryrichardsonesq.com
Signature	/gregoryrichardsonesq/
Date	11/21/2007
Attachments	termPet.pdf (4 pages)(467347 bytes)

Gregory Richardson
Law Offices of Gregory Richardson, Esq.
3890 11th Street, Suite #210
Riverside, California 92501
Tel.: (951) 680-9388

Attorney for Bill Lawrence

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE

TRADEMARK TRIAL AND APPEAL BOARD

JZCHAK N. WAJCMAN dba BILL LAWRENCE PRODUCTS and BILL LAWRENCE GUITAR PICKUPS, Petitioner, vs. WILLI LORENZ STICH a/k/a BILL LAWRENCE, Registrant/Respondent.	Cancellation No.: 92043516 Serial Number: 76594437 Registration Number: 2,303,676 **In the matter of Registration No. 2,303,676** **Mark: BILL LAWRENCE®** **Date Registered: December 28, 1999** **BILL LAWRENCE'S MOTION TO TERMINATE CANCELLATION PROCEEDING NO. 92043516 DUE TO PETITIONER'S AGREEMENT IN FEDERAL COURT TO WITHDRAW CANCELLATION WITH PREJUDICE.** Filed: November 21, 2007

I. Introduction.

1. Registrant Willi Lorenz Stich a/k/a Bill Lawrence, by his attorney, hereby moves that the United Stated Patent and Trademark Office (*hereinafter* USPTO) and the Trademark Trial and Appeal Board (*hereinafter* TTAB) terminate Petitioner Jzchak Wajcman's Cancellation Proceeding No. 92043516 per Mr. Wajcman's agreement in the Federal District Court in San Diego, California, civil action

styled *Wajcman v. Stich*, Case No. 05-CV-1200 LAB (NLS) [*hereinafter Wajcman v. Stich*] to withdraw his cancellation petition against Bill Lawrence® with prejudice.

2. The TTAB is requested to take judicial notice of application Serial No. 76594437. The parties in *Wajcman v. Stich* reached a settlement which requires that Mr. Wajcman withdraw his Cancellation Petition No. 92043516. Mr. Wajcman has submitted a transcript of the proceedings in his own application for the mark "Bill Lawrence", Serial No. 76594437 which substantiates his agreement to withdraw his cancellation proceeding at the USPTO and TTAB. (Page 16 lines 23-25 and Page 17 lines 1-4 in the transcript) See also Communication Received From Applicant Entered 2007-08-03 and PAPER RECEIVED 2007-07-30 contained in Serial No. 76594437 -- "Settlement Agreement and Mutual General Release", p. 2, para.17, "Wajcman will withdraw, with prejudice, the pending cancellation proceeding against Bill Lawrence®."

3. The federal district court terminated litigation in *Wajcman v. Stich* after the May 10, 2007 settlement agreement was reached, and these findings are binding on the TTAB. *See American Bakeries Co. v. Pan-O-Gold Baking Co.*, 2 USPQ2d 1208 (D.C. Minn. 1986) and Order of Suspension dated June 8, 2007, Cancellation No. 92043516. According to the settlement, there are no appeals, so proceedings in this Cancellation may resume in order to have the Cancellation petition withdrawn.

4. To date, Mr. Wajcman has failed to withdraw this Cancellation according to his agreement.

PRAYER

WHEREFORE, THE REGISTRANT prays for the following:

For the above reasons, Registrant Bill Lawrence respectfully requests that Cancellation No. 92043516 be terminated with prejudice according to the parties' agreement and the settlement reached in federal district court *Wajcman v. Stich*, Case No. 05-CV-1200 LAB (NLS).

Dated: November 21, 2007

Gregory Richardson
Attorney for Bill Lawrence

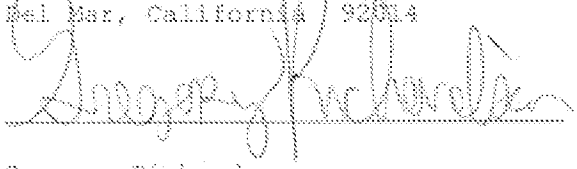
CERTIFICATE OF SERVICE

I hereby certify that a copy of

BILL LAWRENCE'S MOTION TO TERMINATE CANCELLATION PROCEEDING NO. 92043516 DUE TO PETITIONER'S AGREEMENT IN FEDERAL COURT TO WITHDRAW CANCELLATION WITH PREJUDICE.

on the following attorney of record for Petitioner, by depositing same with the United States Postal Service on this 21st Day of November, 2007, addressed as follows:

Jay S. Kopelowitz
Kopelowitz & Associates
12702 Via Cortina, Suite 700
Del Mar, California 92014



Gregory Richardson