

ESTTA Tracking number: **ESTTA329365**

Filing date: **01/28/2010**

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

|                        |  |
|------------------------|--|
| Proceeding             | 92047262   |
| Party                  | Plaintiff<br>Roast of the Town, Inc.   |
| Correspondence Address | Scott R. Goldberg<br>Schian Walker PLC<br>3550 North Central Avenue, Suite 1700, Suite 1700<br>Phoenix, AZ 85012<br>UNITED STATES<br>ischwartz@dmylphx.com |
| Submission             | Other Motions/Papers   |
| Filer's Name           | Ira M. Schwartz  |
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| Signature              | /Ira M. Schwartz/  |
| Date                   | 01/28/2010   |
| Attachments            | Roast of the Town, Notice of Settlement 012810.pdf ( 2 pages )(14120 bytes )   |

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

|  |                           |
|--|---------------------------|
| In the Matter of Trademark<br>Registration No. 2760766 |                           |
| Roast of the Town, Inc.,<br>Petitioner                 | Cancellation No. 92047262 |
| v.   |                           |
| The Smith Agency, Ltd.,<br>Registrant.                 |                           |

**NOTICE OF SETTLEMENT**

Petitioner, Roast of the Town, gives notice that the parties have settled this matter. Roast of the Town requests that this matter be suspended for 30-60 days to allow for submission of formal settlement documents.

Dated: January 28, 2010.

Respectfully submitted,

*/Ira M. Schwartz/*  
Ira M. Schwartz  
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Phoenix, AZ 85020  
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*Attorneys for Petitioner*

## Certificate of Service

I certify that a copy of the foregoing was mailed by first class mail, postage prepaid, upon the following on the date set forth below:

Harold L. Marquis  
Thomas Kayden Horstemeyer & Risley LLP  
600 Galleria Parkway, NW, Suite 1500  
Atlanta, GA 30339  
*Attorneys for Registrant*

Dated: January 28, 2010.

*/Ira M. Schwartz/*

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