

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

\_\_\_\_\_  
X  
DAVID J. DEACY,

Petitioner/Plaintiff,

v.

DEREK L. BABCOCK  
Respondent/Defendant.

\_\_\_\_\_  
X

# 78362861  
Cancellation No: 92049956

In re Registration No. 2,963,259

I hereby certify that this correspondence is being deposited via Express Mail  
No. EH 404822590 US addressed to: USPTO, TTAB, P.O. Box 1451  
Alexandria, VA 22313-1451 on Tuesday, January 27, 2009

DATED: January 27, 2009

*Penagiota Betty Tufarillo*  
Name: Penagiota Betty Tufarillo

**PETITIONER'S REPLY ON BEHALF OF RESPONDENT AS TO WHY  
JUDGEMENT BY DEFAULT SHOULD NOT BE ENTERED AGAINST  
RESPONDENT AND AS TO WHY THIS CANCELLATION PROCEEDING BE  
DISMISSED**

Petitioner David J. Deacy, by and through his undersigned attorneys, hereby submits the present Reply in response to the TTAB's December 29, 2008, Order to Show Cause why Judgement by Default should not be entered against Respondent in accordance with Fed. R. Civ. P. 55(b), and respectfully requests that for the reasons set forth herein below the present cancellation be dismissed without prejudice.

**STATEMENT OF FACTS**



01-27-2009

U.S. Patent & TM Office TTAB Trial Rep. Ct. #34

On or about December 6, 2008, Petitioner and Respondent entered into a Confidential Settlement Agreement.

One of the terms included in the agreement was the assignment of U.S.

Trademark Registration No. 2,963,259 from Respondent to third party Mitch Endick, and from third party Mitch Endick to Petitioner. Copies of both Assignments are annexed hereto as **Exhibits 1 and 2**, respectively.

Furthermore, both Trademark Assignments regarding U.S. Trademark Registration No. 2,963,259 are now recorded in the Office of Recordation of the Trademark Office, Reel/Frame No. 003911/0141 and 003904/0685, respectively.

Another term included in the Agreement was the entry of the Parties into a Stipulation and Order of Dismissal of the present Cancellation Proceeding. A copy of the Parties' STIPULATION AND ORDER OF DISMISSAL is annexed hereto as **Exhibit 3** for the Court's reference and entry.

### CONCLUSION

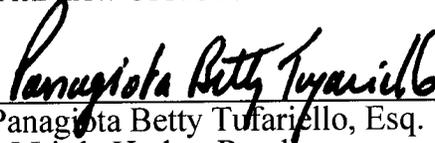
For all the foregoing reasons, good cause exists for the TTAB's issuing of an order dismissing the present Cancellation proceeding and such is respectfully requested and prayed for. The Parties' original STIPULATION AND ORDER OF DISMISSAL is also annexed hereto for the Court's convenience and entry.

Respectfully submitted,

**INTELLECTULAW**  
**THE LAW OFFICES OF P.B. TUFARIELLO, P.C.**

Dated: 01/27/2009

By:



Panagiota Betty Tufariello, Esq. (PBT 3429)  
25 Little Harbor Road  
Mt. Sinai, NY 11766  
Tel.: (631) 476-8734  
Fax: (631) 476-8737  
Email: [24yellow@optonline.net](mailto:24yellow@optonline.net)  
Attorneys for the Petitioner

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, a copy of the PETITIONER'S REPLY ON BEHALF OF RESPONDENT AS TO WHY JUDGEMENT BY DEFAULT SHOULD NOT BE ENTERED AGAINST RESPONDENT AND AS TO WHY THIS CANCELLATION PROCEEDING BE DISMISSED has been forwarded to the TTAB via Express Mail, and a true copy of same has been forwarded for service upon Mitch Endick via Express Mail and via Facsimile:

Mitch Endick  
606 E. State Street  
Athens, Ohio 45701  
Tel: (740) 707-3103  
Fax: (740) 594-1333  
PRO SE Assignee/Registrant

Dated: 01/27/2009

By: *Panagiota Betty Tufariello*  
Panagiota Betty Tufariello (PBT 3429)  
INTELLECTULAW  
The Law Offices of P.B. Tufariello, P.C.  
25 Little Harbor Road  
Mt. Sinai, NY 11766  
(631) 476-8734 (phone)  
(631) 476-8737 (fax)  
24yellow@optonline.net  
Betty@intellectulaw.com



TRADEMARK ASSIGNMENT

WHEREAS, Derek L. Babcock, an individual, citizen of the United States having a principal place of residence at 1463 Martin Drive, Troy IL 62294 (hereinafter "Assignor") has adopted, owns and is using the Mark PETPAGES (hereinafter "the Mark") in connection with the following goods and/or services: WEBSITE FEATURING PET ADS, PET DIRECTORY, PET FORUMS, PET GALLERY AND PET NEWS; and

WHEREAS, Assignor owns a federal registration for the Mark on the Principal Register of the United States Patent and Trademark Office in connection with the goods and/or services identified therein, United States Registration No. 2,963,259, registered on June 21, 2005; and

WHEREAS, Mitch Endick, a individual, citizen of the United States having a principal place of business at 608 E. State Street, Athens, Ohio 45701 (hereinafter "Assignee") desires to acquire the Mark and the above referenced Registration;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee all rights, title and interest in and to the Mark, together with the goodwill of the business symbolized by the Mark, and the registration thereof.

DEREK L. BABCOCK  
By: *Derek Babcock*  
Name: *Derek L. Babcock*  
Title: *owner*  
Date *11-24-08*  
effective as of:



SUBSCRIBED and SWORN to before me this of, *24th* day of *November*, *2008* *Derek Babcock*

*Patricia A. Capps*  
Notary Public  
My Commission Expires:  
*October 13, 2009*

PAGE 1 TRADEMARK ASSIGNMENT U.S. REGISTRATION NO. 2,963,259 FROM DEREK L. BABCOCK TO MITCH ENDICK

MITCH ENDICK

By: *Mitch Endick*

Name: MITCH ENDICK

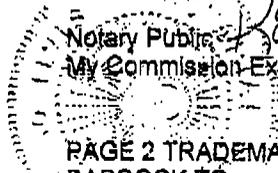
Title: *owner*

Date DEC 2 2008

effective as of :

SUBSCRIBED and SWORN to *Mitch ENDICK*  
before me this of *2nd* *December, 2008*

Notary Public: *Kathy L. Rupe*  
My Commission Expires:



KATHY L. RUPE  
NOTARY PUBLIC, STATE OF OHIO  
My Commission Expires March 23, 2011  
Commission Recorded in Meigs County

PAGE 2 TRADEMARK ASSIGNMENT RE-REGISTRATION NO. 2,963,259 FROM DEREK L.  
BABCOCK TO  
MITCH ENDICK



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECEMBER 31, 2008

PTAS - DN  
THE LAW OFFICES OF P.B. TUFARIELLO, P.C.  
25 LITTLE HARBOR ROAD  
MT. SINAI, NY 11766



UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/22/2008

REEL/FRAME: 003911/0141  
NUMBER OF PAGES: 4

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

ASSIGNOR:

BABCOCK, DEREK L.

DOC DATE: 11/24/2008  
CITIZENSHIP: UNITED STATES  
ENTITY: INDIVIDUAL

ASSIGNEE:

ENDICK, MITCH  
606 E. STATE STREET  
ATHENS, OHIO 45701

CITIZENSHIP: UNITED STATES  
ENTITY: INDIVIDUAL

APPLICATION NUMBER: 78362861  
REGISTRATION NUMBER: 2963259

FILING DATE: 02/05/2004  
ISSUE DATE: 06/21/2005

MARK: PETPAGES

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGN

003911/0141 PAGE 2

ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

12-29-2008

12-29-2008



103541547

FORM COVER SHEET  
MARKS ONLY

To the Director of the U.S. Patent and Trademark Office

Please record the attached documents or the new address(es) below.

12-28-08

1. Name of conveying party(ies):

DEREK L. BABCOCK

- Individual(s)       Association
- General Partnership       Limited Partnership
- Corporation- State: \_\_\_\_\_
- Other \_\_\_\_\_

Citizenship (see guidelines) U.S.

Additional names of conveying parties attached?  Yes  No

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached?  Yes  No

Name: MITCH ENDICK

Internal Address: \_\_\_\_\_

Street Address: 606 E. State Street,

City: Athens

State: Ohio

Country: USA      Zip: 45701

- Association      Citizenship \_\_\_\_\_
- General Partnership      Citizenship \_\_\_\_\_
- Limited Partnership      Citizenship \_\_\_\_\_
- Corporation      Citizenship \_\_\_\_\_
- Other individual      Citizenship U.S.

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) 11/24/08

- Assignment       Merger
- Security Agreement       Change of Name
- Other \_\_\_\_\_

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,963,259

Additional sheet(s) attached?  Yes  No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):  
PETPAGES

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: THE LAW OFFICES OF P.B. TUFARIELLO, P.C.

Internal Address: \_\_\_\_\_

Street Address: 25 Little Harbor Road

City: Mt. Sinai

State: NY      Zip: 11766

Phone Number: (631) 476-8734

Fax Number: (631) 476-8737

Email Address: betty@intellectulaw.com

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card      Last 4 Numbers 2000  
Expiration Date 10/11

b. Deposit Account Number \_\_\_\_\_

Authorized 02/26/2008 WUELLER 00000010 2963259

9. Signature:

Panagiota Betty Tufariello  
Signature

01 FC:8521      12/22/08      40.00

PANAGIOTA BETTY TUFARIELLO  
Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 6



# TRADEMARK ASSIGNMENT

WHEREAS, Mitch Endick, an individual, citizen of the United States having a principal place of residence at 606 E. State Street, Athens, Ohio 45701 (hereinafter "Assignor") has adopted, owns and is using the Mark PETPAGES (hereinafter "the Mark") in connection with the following goods and/or services: WEBSITE FEATURING PET ADS, PET DIRECTORY, PET FORUMS, PET GALLERY AND PET NEWS; and

WHEREAS, Assignor owns a federal registration for the Mark on the Principal Register of the United States Patent and Trademark Office in connection with the goods and/or services identified therein, United States Registration No. 2,963,259, registered on June 21, 2005; and

WHEREAS, David Deacy, an individual, citizen of the United States having a principal place of business at 6950 Webber Road, Sarasota, Florida 34240 (hereinafter "Assignee") desires to acquire the Mark and the above referenced Registration;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor hereby sells, assigns and transfers to Assignee all rights, title and interest in and to the Mark, together with the goodwill of the business symbolized by the Mark, and the registration thereof.

MITCH ENDICK

By: *Mitch Endick*  
Name: MITCH ENDICK  
Title: OWNER  
Date DEC 2 2008  
effective as of : \_\_\_\_\_

SUBSCRIBED and SWORN to *Mitch Endick*  
before me this 2<sup>nd</sup> of December, 2008

\_\_\_\_\_  
Notary Public *Kathy L. Rupe* KATHY L. RUPE  
My Commission Expires: \_\_\_\_\_ NOTARY PUBLIC, STATE OF OHIO  
My Commission expires March 23, 2011  
Commission Recorded in Meigs County

IN WITNESS WHEREOF, the Parties have duly executed this Agreement as of the Effective Date.

MITCH ENDICK

By: Mitch Endick  
Name: Mitch Endick

Title: Owner

Date: 12-2-2008

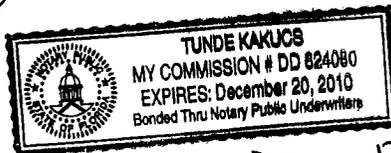
DAVID J. DEACY

By: David J. Deacy  
Name: David J. Deacy

Title: PRESIDENT

Date: 12/6/08

Notary Public:  
Latae Rade  
12/06/08



Notary public of signature only.

DL# D200-170-55-407-0  
exp. 11-07-2010



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECEMBER 17, 2008

PTAS  
THE LAW OFFICES OF P.B. TUFARIELLO, P.C.  
25 LITTLE HARBOR ROAD  
MT. SINAI, NY 11766



UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 12/11/2008

REEL/FRAME: 003904/0685  
NUMBER OF PAGES: 3

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

ASSIGNOR:  
MITCH ENDICK

DOC DATE: 12/02/2008  
CITIZENSHIP: UNITED STATES  
ENTITY: INDIVIDUAL

ASSIGNEE:  
DAVID DEACY  
6950 WEBBER ROAD  
SARASOTA, FLORIDA 34240

CITIZENSHIP: UNITED STATES  
ENTITY: INDIVIDUAL

APPLICATION NUMBER: 78362861  
REGISTRATION NUMBER: 2963259

FILING DATE: 02/05/2004  
ISSUE DATE: 06/21/2005

MARK: PETPAGES  
DRAWING TYPE: WORDS, LETTERS, OR NUMBERS AND DESIGN

003904/0635 PAGE 2

MARCUS KIRK, EXAMINER  
ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

12-15-2008

U.S. DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office



REC  
T

103539696

To the Director of the U. S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies):

MITCH ENDICK

- Individual(s)
- General Partnership
- Corporation- State: \_\_\_\_\_
- Other \_\_\_\_\_
- Association
- Limited Partnership

Citizenship (see guidelines) U.S.

Additional names of conveying parties attached?  Yes  No

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) \_\_\_\_\_

- Assignment
- Security Agreement
- Other \_\_\_\_\_
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached?  Yes  No

Name: DAVID DEACY

Internal Address: \_\_\_\_\_

Address: \_\_\_\_\_

Street Address: 6950 Webber Road

City: Sarasota

State: Florida

Country: USA Zip: 34240

Association Citizenship \_\_\_\_\_

General Partnership Citizenship \_\_\_\_\_

Limited Partnership Citizenship \_\_\_\_\_

Corporation Citizenship \_\_\_\_\_

Other individual Citizenship U.S.

If assignee is not domiciled in the United States, a domestic representative designation is attached:  Yes  No  
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,963,259

Additional sheet(s) attached?  Yes  No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

PETPAGES

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: THE LAW OFFICES OF P.B. TUFARIELLO, P.C.

Internal Address: \_\_\_\_\_

Street Address: 25 Little Harbor Road

City: Mt. Sinai

State: NY Zip: 11766

Phone Number: (631) 476-8734

Fax Number: (631) 476-8737

Email Address: betty@intellectulaw.com

6. Total number of applications and registrations involved:

1

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 40.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers 2000  
Expiration Date 10/11

b. Deposit Account Number 12/12/2008 DBYRNE 00000061 2963259

Authorized User Name 01 FC:8521 40.00 OP

9. Signature: Panagiota Betty Tufariello  
Signature

12/11/08  
Date

PANAGIOTA BETTY TUFARIELLO  
Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 6

80.11-2

OFFICE OF THE ASSISTANT COMMISSIONER OF PATENT AND TRADEMARK OFFICE



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

\_\_\_\_\_  
X  
DAVID J. DEACY,

Petitioner/Plaintiff,

v.

DEREK L. BABCOCK  
Respondent/Defendant.

Cancellation No: 92049956

In re Registration No. 2,963,259

**EH 404822590 US**

I hereby certify that this correspondence is being deposited via Express Mail  
No. ~~EH 300181265 US~~ addressed to: USPTO, TTAB, P.O. Box 1451  
Alexandria, VA 22313-1451 on Monday, ~~October 20, 2008~~

**02/27/2009**  
DATED: ~~October 20, 2008~~

**Tuesday, January 27, 2009.**

*Pangiotta Betty Tufariello*  
Name: Pangiotta Betty Tufariello

**PARTIES' STIPULATION AND ORDER OF DISMISSAL**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys of record for all the parties in the above-captioned action ( hereinafter the "Cancellation Proceeding") as follows:

1. Pursuant to the terms and conditions of a Settlement Agreement between the parties, dated ~~October~~ **December** 6, 2008 the Cancellation Proceeding is dismissed without prejudice; and
2. The Trademark Trial and Appeal Board of the United States Patent and Trademark Office shall retain jurisdiction of this Cancellation Proceeding to the extent necessary to enforce the provisions of this Stipulation.

Respectfully submitted,

**INTELLECTULAW**  
**THE LAW OFFICES OF P.B. TUFARIELLO, P.C.**

Dated: 01/27/09 By: Panagiota Betty Tufariello  
Panagiota Betty Tufariello, Esq. (PBT 3429)  
25 Little Harbor Road  
Mt. Sinai, NY 11766  
Tel.: (631) 476-8734  
Fax: (631) 476-8737  
Email1: [24yellow@optonline.net](mailto:24yellow@optonline.net)  
Email2: [betty@intellectulaw.com](mailto:betty@intellectulaw.com)

Attorneys for the Petitioner

Dated: 12-2-2008 By: Mitch Endick  
Mitch Endick  
606 E. State Street  
Athens, Ohio 45701  
Tel: (740) 707-3103  
Fax: (740) 594-1333

PRO SE Respondent/Assignee/Registrant

SO ORDERED: \_\_\_\_\_ Dated: \_\_\_\_\_

TTAB

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, a copy of the PARTIES' STIPULATION AND ORDER OF DISMISSAL has been forwarded to the TTAB via Express Mail, and a true copy of same has been forwarded for service upon Mitch Endick via Express Mail and via Facsimile:

Mitch Endick  
606 E. State Street  
Athens, Ohio 45701  
Tel: (740) 707-3103  
Fax: (740) 594-1333  
PRO SE Assignee/Registrant

Dated: 01/27/09

By: *Panagiota Betty Tufariello*  
Panagiota Betty Tufariello (PBT 3429)  
INTELLECTULAW  
The Law Offices of P.B. Tufariello, P.C.  
25 Little Harbor Road  
Mt. Sinai, NY 11766  
(631) 476-8734 (phone)  
(631) 476-8737 (fax)  
[24yellow@optonline.net](mailto:24yellow@optonline.net)  
[Betty@intellectulaw.com](mailto:Betty@intellectulaw.com)

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

\_\_\_\_\_  
X  
DAVID J. DEACY,

Petitioner/Plaintiff,

v.

DEREK L. BABCOCK  
Respondent/Defendant.

Cancellation No: 92049956

In re Registration No. 2,963,259

**EH 404822590 US**

I hereby certify that this correspondence is being deposited via Express Mail  
No. ~~EH 300181265 US~~ addressed to: USPTO, TTAB, P.O. Box 1451  
Alexandria, VA 22313-1451 on ~~Monday, October 20, 2008~~

**02/27/2009**  
DATED: ~~October 20, 2008~~

**Tuesday, January 27, 2009.**

*Pamgiota Betty Tufariello*  
Name: Pamgiota Betty Tufariello

**PARTIES' STIPULATION AND ORDER OF DISMISSAL**

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1. Pursuant to the terms and conditions of a Settlement Agreement between the parties, dated ~~October~~ **December** 6, 2008 the Cancellation Proceeding is dismissed without prejudice; and
2. The Trademark Trial and Appeal Board of the United States Patent and Trademark Office shall retain jurisdiction of this Cancellation Proceeding to the extent necessary to enforce the provisions of this Stipulation.

Respectfully submitted,

**INTELLECTULAW**  
**THE LAW OFFICES OF P.B. TUFARIELLO, P.C.**

Dated: 01/27/09 By: *Panagiota Betty Tufariello*  
Panagiota Betty Tufariello, Esq. (PBT 3429)  
25 Little Harbor Road  
Mt. Sinai, NY 11766  
Tel.: (631) 476-8734  
Fax: (631) 476-8737  
Email1: [24yellow@optonline.net](mailto:24yellow@optonline.net)  
Email2: [betty@intellectulaw.com](mailto:betty@intellectulaw.com)

Attorneys for the Petitioner

Dated: 12-2-2008 By: *Mitch Endick*  
Mitch Endick  
606 E. State Street  
Athens, Ohio 45701  
Tel: (740) 707-3103  
Fax: (740) 594-1333

PRO SE Respondent/Assignee/Registrant

SO ORDERED: \_\_\_\_\_ Dated: \_\_\_\_\_

TTAB

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, a copy of the PARTIES' STIPULATION AND ORDER OF DISMISSAL has been forwarded to the TTAB via Express Mail, and a true copy of same has been forwarded for service upon Mitch Endick via Express Mail and via Facsimile:

Mitch Endick  
606 E. State Street  
Athens, Ohio 45701  
Tel: (740) 707-3103  
Fax: (740) 594-1333  
PRO SE Assignee/Registrant

Dated: 01/27/09

By: *Panagiota Betty Tufariello*  
Panagiota Betty Tufariello (PBT 3429)  
INTELLECTULAW  
The Law Offices of P.B. Tufariello, P.C.  
25 Little Harbor Road  
Mt. Sinai, NY 11766  
(631) 476-8734 (phone)  
(631) 476-8737 (fax)  
[24yellow@optonline.net](mailto:24yellow@optonline.net)  
[Betty@intellectulaw.com](mailto:Betty@intellectulaw.com)