

ESTTA Tracking number: **ESTTA576253**

Filing date: **12/12/2013**

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

Proceeding	92055020
Party	Plaintiff Tech Data Corporation
Correspondence Address	ALAN BLUM MOSES SINGER LLP 405 LEXINGTON AVE NEW YORK, NY 10174 1299 UNITED STATES trademarks@mosessinger.com, ablum@mosessinger.com, dshapiro@mosessinger.com
Submission	Other Motions/Papers
Filer's Name	Deborah L. Shapiro
Filer's e-mail	trademarks@mosessinger.com, dshapiro@mosessinger.com, ablum@mosessinger.com
Signature	/Deborah L. Shapiro/
Date	12/12/2013
Attachments	Misc Motion re Consent 92055020.pdf(16002 bytes ) consent STREAMONE Serial Nos 85155669 and 85302406.pdf(59418 bytes )

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

In the Matter of Registration No. 3,553,646  
Registered December 30, 2008  
Mark: STREAMONE and Design

TECH DATA CORPORATION,

Petitioner,

v.

STREAMONE LLC,

Respondent.

Cancellation No. 92055020

**PETITIONER'S MOTION TO SUBMIT CONSENT DOCUMENTS**

Petitioner Tech Data Corporation ("Tech Data" or "Petitioner), by its attorneys, Moses & Singer LLP, hereby moves for the acceptance of the Consent document submitted herewith concerning Petitioner's applications with Serial Nos. 85/155,669 and 85/302,406.

Dated: New York, New York  
December 12, 2012

Respectfully submitted,

**MOSES & SINGER LLP**

By:                     /Deborah L. Shapiro/                    

Alan Blum  
Deborah L. Shapiro  
405 Lexington Avenue  
New York, New York 10174-1299  
Tel: 212-554-7800  
Fax: 212-554-7700

Attorneys for Petitioner Tech Data Corporation

**CERTIFICATE OF SERVICE**

I certify that on the 12th day of December, 2013, I caused a true copy of Petitioner's Motion to Compel Discovery to be served on counsel for Respondent StreamOne LLC, by sending same via first class mail to the following address:

Kenneth F. McCallion, Esq.  
McCallion & Associates LLP  
100 Park Avenue, 16<sup>th</sup> Floor  
New York, NY 10017

\_\_\_\_\_  
/Deborah L. Shapiro/

Deborah L. Shapiro

## EXHIBIT A

### CONSENT

StreamOne LLC of 522 Hunt Club Boulevard, Apopka, Florida 32703, the owner of U.S. Trademark Registration No. 3,553,646 for STREAMONE and design in International Class 35, hereby consents to Tech Data Corporation's use, application and registration of the trademarks STREAM ONE, US Trademark Application Serial No. 85/155,669, and STREAMONE and design, US Trademark Application Serial No. 85/302,406 ("Tech Data STREAMONE Marks").

StreamOne LLC is aware of the manner of Tech Data Corporation's use of its Tech Data STREAMONE Marks. Both StreamOne LLC and Tech Data Corporation believe that there is no likelihood of confusion arising from the use of their respective marks. The parties' marks have and can continue to co-exist in the marketplace. No instances of actual confusion have come to the parties' attention in the past and the likelihood of confusion is remote in view of the differences between the marks, and the fact that the parties' goods and services are marketed and promoted differently in distinct markets and channels of trade, and are not sold to the same prospective purchasers. In the unlikely event that any confusion does come to either party's attention, the parties will work together to prevent any further confusion.

#### AGREED:

#### STREAMONE LLC

By: 

Name: Chad Creech

Title: Owner

Date: November 14, 2013

#### TECH DATA CORPORATION

By: 

Name: David R. Vetter

Title: SVP, General Counsel

Date: December 6, 2013