

ESTTA Tracking number: **ESTTA756311**

Filing date: **07/05/2016**

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

| | |
|------------------------|--|
| Proceeding | 92063553 |
| Party | Plaintiff Jabber Media LLC |
| Correspondence Address | JULIE A GREENBERG DINSMORE & SHOHL 2701 TROY CENTER DRIVE, SUITE 330 TROY, MI 48084 UNITED STATES julie.greenberg@dinsmore.com, detroitlitigation@dinsmore.com, maryjennifer.wunsche@dinsmore.com |
| Submission | Withdrawal of Petition to Cancel |
| Filer's Name | Julie A. Greenberg |
| Filer's e-mail | detroitlitigation@dinsmore.com, maryjennifer.wunsche@dinsmore.com |
| Signature | /Julie A. Greenberg/ |
| Date | 07/05/2016 |
| Attachments | 7-5-16 Motion for Entry of Consented Withdrawal.pdf(7002 bytes) Consented Motion.pdf(41055 bytes) |

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

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JABBER MEDIA LLC

Petitioner,

v.

Cancellation No. 92063553

Joseph Yeager

Registrant.

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MOTION AND BRIEF FOR ENTRY OF CONSENTED WITHDRAWAL

This responds to the Board's Order dated June 21, 2016. The amendment to Application Serial No. 86/554,254 has been entered by the Trademark Office. Petitioner states that consistent with the consented withdrawal of this proceeding, signed in writing by both parties, all matters regarding this cancellation have been addressed, and the consented withdrawal should be entered by the Board. A copy of the consented withdrawal is submitted herewith. Petitioner looks forward to confirmation of same.

DINSMORE & SHOHL LLP

By: Julie A. Greenberg
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900 Wilshire, Suite 300
Troy, MI 48084
(248) 647-6000

Dated: July 5, 2016

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

Jabber Media LLC,

Petitioner,

v.

Joseph Yeager,

Registrant,

Cancellation No. 92063553

CONSENTED MOTION TO AMEND APPLICATION, PROVIDE CONSENT TO REGISTRATION OF SN 86554254,
SUSPEND OPPOSITION AND WITHDRAW CANCELLATION

Pursuant to Trademark Rules 2.133(a) and 2.106(c) and TBMP § 514, Petitioner Jabber Media, LLC. ("Jabber Media") and Registrant Joseph Yeager ("Yeager") (hereafter the "Parties"), through their respective attorneys, hereby stipulate and agree as follows:

(1) Jabber Media moves to amend the identification of goods and services for Application Serial No. 86/072,103 as follows (additions underlined):

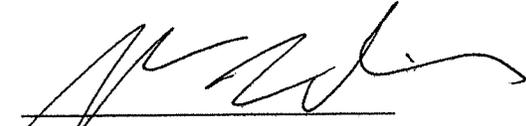
IC 035. G & S: Advertising, marketing and promotional services for others and excluding executive coaching services.; design and distribution of advertising and promotional materials for others for online, print and electronic media and excluding executive coaching services ; development of advertising materials and campaigns, namely, advertising retargeting, marketing, search engine optimization, designing and developing advertisements and advertising programs for distribution in print, online, through social networks, mobile computing devices and mobile phones, providing a website featuring advertising for others and excluding executive coaching services.; development and implementation of social media campaigns to promote goods and services of others, and excluding executive coaching services.

- (3) Jabber Media respectfully submits that republication of the mark is not required as the proposed amendment serves to limit the goods and services covered by the application.
- (4) Yeager consents to the foregoing amendment which limits the goods and services.
- (5) Fully conditioned on the Board's acceptance and entry of Jabber Media's amendment above, Yeager consents to Registration of SN 86/072,103, the Parties consent to withdrawal without prejudice and with Yeager's written consent of the Petition to Cancel as indicated by attorney signature hereon, and, further conditioned on Registration of SN 86/072,103, Jabber Media agrees not to offer executive coaching services in connection with the mark JABBER MEDIA. The Parties agree that there is no likelihood of confusion in view of the differences of the marks and their respective uses, once amended.
- (6) The Parties consent to suspension of proceedings pending final disposition of this matter.

SO STIPULATED AND AGREED,

Dated: June 16, 2016

By:



Jordan A. LaVine,

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Attorney for Registrant Joseph Yeager

Dated: June __, 2016

By:



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express permission*
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Attorney for Petitioner Jabber Media LLC