

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

\_\_\_\_\_  
X  
:  
@RADICAL.MEDIA, INC., :  
:  
Opposer, : Opposition No. 125,485  
:  
v. :  
:  
MINDARROW SYSTEMS, INC., :  
:  
Applicant. :  
\_\_\_\_\_  
X

12-06-2002  
U.S. Patent & TMO/TM Mail Rcpt Dt. #36

WITHDRAWAL OF OPPOSITION WITH PREJUDICE

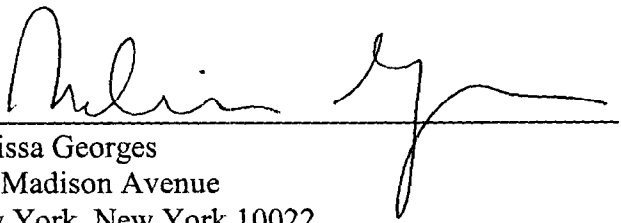
Honorable Commissioner of Patents and Trademarks  
2900 Crystal Drive  
Arlington, VA 22202

Dear Sir:

Opposer and Applicant have reached a settlement in the captioned matter. In accordance with said agreement, Applicant expressly abandoned its application to register the mark RADICALTRACKING (Serial No. 76/062,845) with prejudice as evidenced by the Notice of Abandonment of Application attached herewith. Pursuant to Section 2.106(c) of the Rules of Practice, Opposer hereby withdraws the captioned opposition with prejudice.

Applicant has agreed to this withdrawal.

FRANKFURT GARBUS KURNIT  
KLEIN & SELZ, PC

By:   
\_\_\_\_\_  
Melissa Georges  
488 Madison Avenue  
New York, New York 10022  
(212) 980-0120

Attorney for Opposer

Dated: December 5, 2002

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

@RADICAL.MEDIA, INC.,

Opposer,

v.

STREAMEDIA.COM,

Applicant.

Opposition No. 91125485

Mark: RADICALTRACKING

Serial No.: 76/062,845

**NOTICE OF ABANDONMENT OF APPLICATION**

Pursuant to the parties' settlement agreement, Applicant MindArrow Systems, Inc. hereby expressly abandons its application to register the mark RADICALTRACKING, Serial No. 76/062,845, with prejudice. Opposer @radical.media, Inc. consents to this abandonment.

Respectfully submitted,

Dated: November 5, 2002

By:   
Gregory D. Granger  
GRACE & GRACE LLP  
444 South Flower Street, Suite 3875  
Los Angeles, CA 90071  
213.452.1220  
213.452.1222 (fax)

Attorneys for Applicant  
MindArrow Systems, Inc.

**CERTIFICATE OF MAILING**


I hereby certify that I caused a copy of this Notice of Abandonment to be served upon:

Edward H. Rosenthal  
Melissa Georges  
Frankfurt Garbus Kurnit Klein & Selz, P.C.  
488 Madison Avenue  
New York, NY 10022

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513  
Attn: Box TTAB

Via U.S. mail, postage prepaid, on November 5, 2002.

Deanna Castellanos  
(Name)

  
(Signature)

TTAB

# Frankfurt Garbus Kurnit Klein & Selz, PC

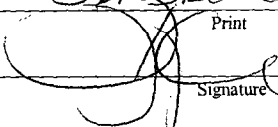
Attorneys at Law

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*Paralegal*  
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### EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number EV038056931US  
Date of Deposit December 6, 2002. I hereby certify that this paper or  
fee is being deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" service under 37 CFR 1.10  
on the date indicated above and is addressed to the Assistant Commissioner  
for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

DEIRDRE CLARKE  
Print  
  
Signature

December 6, 2002

### Via Express Mail

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Box TTAB - NO FEE  
Arlington, VA 22202-3513

12-06-2002  
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #33

CELESTU PA 9:30  
POST OFFICE TTAB PAID

Re: Opposition No. 91151803  
Mark: **RADICALTRACKING**  
Our Ref. No.10290-2400-M103

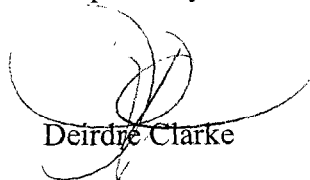
Dear Sir/Madam:

We enclose herewith:

1. Withdrawal of Opposition With Prejudice;
2. A copy of the Notice of Abandonment of Application; and
3. Postcard receipt.

This request is being submitted in triplicate as required by 37 C.F.R. § 2.102(d). Please stamp the enclosed postcard to acknowledge receipt.

Respectfully submitted,

  
Deirdre Clarke

Enclosure

cc: Melissa Georges, Esq.