

ESTTA Tracking number: **ESTTA73272**

Filing date: **03/28/2006**

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

Proceeding	91163437
Party	Defendant Apple Computer, Inc. Apple Computer, Inc. 1 Infinite Loop Cupertino, CA 95014
Correspondence Address	ALLEN J. BADEN KENYON & KENYON 333 WEST SAN CARLOS ST. SUITE 600 SAN JOSE, CA 95110
Submission	Withdrawal of Counterclaim
Filer's Name	Allen J. Baden
Filer's e-mail	abaden@kenyon.com, tmdocketsj@kenyon.com, cwagner@kenyon.com
Signature	/Allen J. Baden/
Date	03/28/2006
Attachments	Tiger_Withdraw_Counterclaims.pdf ( 2 pages )

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

In re.: U.S. Trademark Application No. 78/269,988  
Mark: TIGER  
Filed: August 17, 2004

-----X  
TIGER DIRECT, INC., :  
 :  
 :  
           Opposer, :           Opposition No. 91163437  
 :  
 :  
           v. :  
 :  
 :  
 APPLE COMPUTER INC.. :  
 :  
 :  
           Applicant. :  
-----X

WITHDRAWAL OF COUNTERCLAIMS

The parties having settled their differences herein, Applicant withdraws its counterclaims seeking cancellation of U.S. Registration Nos. 1,641,257 and 2,256,739 in the above-referenced Opposition No. 91163437 with prejudice.

Dated: March 28, 2006

KENYON & KENYON

By: /Allen J. Baden \_\_\_\_\_  
Howard J. Shire  
Allen J. Baden  
KENYON & KENYON  
One Broadway  
New York, NY 10004  
(212) 425-7200

Attorneys for Applicant  
APPLE COMPUTER, INC.

Opp. No. 91163437 – Apple’s Withdrawal of  
Counterclaims

KENYON & KENYON  
333 W. San Carlos, Suite 600  
San Jose, CA 95110  
(408) 975-7500

Certificate of Service

I hereby certify that on this date, a copy of the foregoing Withdrawal of Counterclaims was served by first-class mail, postage prepaid, and by electronic copy sent via email to counsel of record for Opposer:

G. Roxanne Elings, Esq.  
Allison Lucas  
Greenberg Traurig  
Met Life Building  
200 Park Avenue  
New York, NY 10166  
Email: elingsr@gtlaw.com

Dated: March 28, 2006

/Allen J. Baden /  
Allen J. Baden

SJ01 83983 v1