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PATENT & TRADEMARK OFFICE

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

KINETIC MARKETING INC.	)	
Opposer/Registrant,	)	Opposition No. 91168895
	)	SN 76/977,556
v.	)	Cancellation No. 92045572
	)	Reg. 1,951,402
QINETIQ LIMITED	)	Attny. Ref.: 124-1147
Applicant/Petitioner.	)	

TTAB

Date: December 5, 2006

Sir:

Attached are copies of papers filed pursuant to a settlement agreement between QinetiQ Limited and Kinetic Marketing, Inc. Because these papers relate to and affect Cancellation Proceeding No. 92045572 and Opposition No. 91168895, a copy is being filed with the Board.

Respectfully submitted
NIXON & VANDERHYE, P.C.

By: _____

Robert W. Adams
901 North Glebe Road, 11th Flr.
Arlington, Virginia 22203
Tel: (703) 816-4022

Encl.

[redacted]
12-05-2006
U.S. Patent & TMOfc/TM Mail Rcpt Dt. #22

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing letter to the Board was served on counsel for Opposer/Registrant, Julie B. Seyler, Abelman, Frayne & Schwab, 666 Third Avenue, New York, New York 10017, via First Class Mail this 5th day of December, 2006.

Sheryl De Luca

Sheryl De Luca

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **[X]** TRADEMARK APPLICATION
QinetiQ Limited
Serial No.: 76/977,556
Filed: July 18, 2001
Reg. No.
Dated:
Mark: QINETIQ

[ ] TRADEMARK REGISTRATION of:
Class(es): 9, 13, 36, 37, 41 & 42
Examiner: Dalier
Our Account No. 14-1140

Our Reference: 124-1147

Box RESPONSES
NO FEE

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

Date: December 5, 2006

Sir:

The document indicated below is attached for filing and is incorporated by reference. Fees are attached as calculated below:

[ ] BASED ON INTENT-TO-USE: TRADEMARK Application in class(es) ($375.00 (6001) per class)	$	0.00
[ ] BASED ON USE: TRADEMARK Application in 0 class(es) ($375.00) (6001) with 0 specimen(s) (one specimen per class)	$	0.00
[ ] Request to Divide Trademark Application. ($100) (6006)	$	0.00
[ ] TRADEMARK Application in class(es) ($375.00) (6001) claiming priority under 15 U.S.C. 1126(d)	$	0.00
[ ] TRADEMARK Application in 0 class(es) ($375.00) (6001) based on foreign registration under 15 U.S.C. 1126(e)	$	0.00
[ ] Response to Official Action of ; [ ] 0 new class(es) after response ($375.00 per class) (6001)	$	0.00
[ ] Allegation of Use (under Sec. 1051(c)) ($100.00 per class) (6002) in 0 class(es) with 0 specimen(s)	$	0.00
[ ] Allegation of Use (under Section 1051(d) ($100.00 per class) (6003) in 0 class(es), together with 0 specimen(s)	$	0.00
[ ] Request for an Extension of Time to File Statement of Use ($150.00 per class) (6004) in class(es)	$	0.00
[ ] Notice of Appeal in 0 class(es) ($100.00 per class) (6403)	$	0.00
[ ] Declaration Of Use Under Section 8 in 0 class(es) ($100.00 per class) (6205)	$	0.00
[ ] LATE FEE FOR SECTION 8 ($ 100.00 per class) in 0 class(es) (6206)	$	0.00
[ ] Declaration Of Use Under Section 15 in 0 class(es) ($200.00 per class) (6208)	$	0.00
[ ] Combined Declaration of Use Under Sections 8&15 in 0 class(es) ($300.00 per class) (6205 and 6208) Above 8 and/or 15 with 0 specimen(s) (one per class)	$	0.00
[ ] LATE FEE FOR COMBINED SECTION 8&15 ($ 100.00 (6206) per class) in 0 class(es)	$	0.00
[ ] Combined Declaration Under Sections 8 & 9 for Renewal application in 0 class(es) ($500.00) ($400.00 (6201) per class for renewal and $100.00 (6205) per class for Section 8 Decl.) with 0 specimen(s) (one per class)	$	0.00
[ ] LATE FEE FOR COMBINED SECTION 8 & 9 ($100.00 (6203) per class/$100.00 (6206)fee per Section = $200.00 (6206)) in 0 class(es)	$	0.00
[ ] Assignment to be recorded against 0 mark at $40.00 (8521) (and 0 additional marks at $25.00 (8522))	$	0.00
[ ] Petition to Revive $100 (6005)	$	
[X] Other: CONSENT TO REGISTRATION BY KINETIC MARKETING, INC.		
TOTAL	$	0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

NIXON & VANDERHYE P.C.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4022
Facsimile: (703) 816-4100
RWA:sld

By Atty: Robert W. Adams

Signature:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Law Office: 112
Serial No. 76/977,556
Mark: QINETIQ

In re Trademark Application of

QinetiQ Limited

Atty. Ref.: 124-1147

Filed: July 18, 2001

Attorney: Dalier Lauriel

* * * * * * * * * * * * *

December 5, 2006

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Sir:

Enclosed for filing is a "CONSENT TO REGISTRATION BY KINETIC MARKETING, INC."

Respectfully submitted
NIXON & VANDERHYE, P.C.

By: _____

Robert W. Adams
901 North Glebe Road, 11th Flr.
Arlington, Virginia 22203
Tel: (703) 816-4022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Law Office: 112
Serial No. 76/977,556
Mark: QINETIQ

In re Trademark Application of

QinetiQ Limited

Atty. Ref.: 124-888

Filed: July 18, 2001

Attorney: Dalier Lauriel

* * * * * * * * * * * * *

Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3514

Sir:

CONSENT TO REGISTRATION BY KINETIC MARKETING, INC.

Pursuant to the Settlement Agreement between Applicant, QinetiQ Limited, and Kinetic Marketing, Inc. (hereafter "Kinetic Marketing"), Kinetic Marketing hereby consents to the registration and use of the above mark as sought in the stipulated amended identification of goods for this pending application. In this connection, Kinetic Marketing affirmatively states that, based upon its actual marketplace experience, there is and has been no likelihood of confusion between Applicant's mark and the KINETIC mark of Kinetic Marketing.

Exhibit C

QINETIQ
Serial No. 76/977,556

KINETIC MARKETING, INC.

By: _____

Name: Charles Y. Beyda

Title: VP

Date: 11/28/06

757611

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "CONSENT TO REGISTRATION BY KINETIC MARKETING, INC." was served on counsel for Opposer, Julie B. Seyler, Abelman, Frayne & Schwab, 666 Third Avenue, New York, New York 10017, via First Class Mail this 5th day of December, 2006.

Sheryl De Luca

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