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Filing date: **04/28/2008**

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

Proceeding	91175021
Party	Defendant Apple Computer, Inc.
Correspondence Address	Margaret C. McHugh Townsend and Townsend and Crew LLP Two Embarcadero Center, 8th Floor San Francisco, CA 94111-3834 UNITED STATES mcseibel@townsend.com, amwong@townsend.com, mcmchugh@townsend.com, v1t@townsend.com
Submission	Withdrawal of Counterclaim
Filer's Name	Marie C. Seibel
Filer's e-mail	mcseibel@townsend.com, amwong@townsend.com
Signature	/Marie C. Seibel/
Date	04/28/2008
Attachments	Stipulation for Withdrawal of Counterclaim.pdf ( 2 pages )(53160 bytes )

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

In re: *Application Ser. No. 78/653,669*  
Mark: **IPOD**  
Published: July 11, 2006

POD TRADEMARKS PARTNERSHIP,  
Opposer,  
v.  
APPLE COMPUTER, INC.  
Applicant.

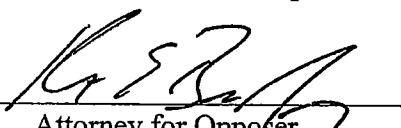
Opposition No. 91175021

STIPULATION FOR WITHDRAWAL  
OF COUNTERCLAIM

APPLE INC.,  
Petitioner,  
v.  
POD TRADEMARKS PARTNERSHIP,  
Registrant.

It is hereby stipulated and agreed, by and between the undersigned counsel of record for Applicant/Petitioner and Opposer/Registrant, that Applicant/Petitioner withdraw its Counterclaim and Petition to Cancel in Opposition No. 91175021 without prejudice and requests dismissal thereof.

POD Trademarks Partnership

By:   
Attorney for Opposer

Kent E. Baldauf, Jr.  
The Webb Law Firm  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219

Apple Computer, Inc.

By:   
Attorney for Applicant

Marie Seibel  
Townsend and Townsend and Crew LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834

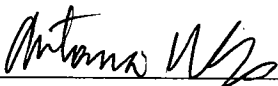
**CERTIFICATE OF SERVICE**

I hereby certify that on April 28, 2008, I caused the foregoing **STIPULATION FOR WITHDRAWAL OF COUNTERCLAIM** to be served by United States mail, postage prepaid, in an envelope addressed to:

Kent E. Baldauf, Jr.  
The Webb Law Firm  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219

*Counsel for Opposer*

Date: April 28, 2008

By:   
\_\_\_\_\_  
Antonia M. Wong