

ESTTA Tracking number: **ESTTA253234**

Filing date: **12/05/2008**

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

Proceeding	91178699
Party	Plaintiff TELEFONICA, S.A.
Correspondence Address	Sean S. Swidler IpHorgan Ltd. 1130 Lake Cook Rd., Suite 240 Buffalo Grove, IL 60089 UNITED STATES sswidler@iphorgan.net
Submission	Withdrawal of Opposition
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Date	12/05/2008
Attachments	12.5.08 - Fully Executed Stipulation for Abandonment.pdf ( 2 pages )(90245 bytes )

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

In the Matter of Application:

Serial No. : 79/028,778  
Filed : December 28, 2005  
Mark : MOBISTAX  
Published : July 31, 2007

Telefonica, S.A., )  
Opposer, )  
v. )  
Forest Interactive Pty Limited, )  
Applicant. )

Opposition No. 91178699

**STIPULATED MOTION FOR ABANDONMENT OF APPLICATION**

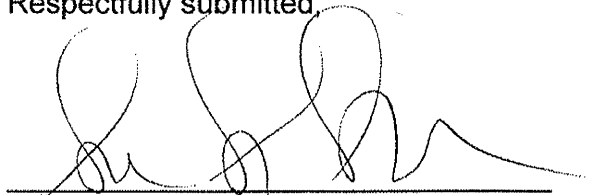
Telefonica, S.A. ("Opposer") and Forest Interactive Pty Limited ("Applicant"), by and through their respective undersigned counsel, hereby stipulate and agree as follows:

- 1) Opposer and Applicant have agreed to amicably resolve the issues raised by the Notice of Opposition filed by Opposer on July 31, 2007.
- 2) TBMP Rule 602.01 provides for abandonment of an application with the written consent of an adverse party or its attorney.
- 3) The Opposer and Applicant, therefore, stipulate to Applicant's abandonment of the above-referenced application.

WHEREFORE, Opposer and Applicant respectfully request that the Trademark Trial and Appeal Board dismiss this matter and enter such other orders as the Board deems appropriate.

Respectfully submitted

Date: 11/21/08



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Date: 12/5/08



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