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Filing date: **05/11/2010**

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

Proceeding	91188645
Party	Plaintiff McKenzie River Corporation
Correspondence Address	Stacy E. Don Orrick, Herrington & Sutcliffe LLP 4 Park Plaza, Suite 1600 Irvine, CA 92614-2558 UNITED STATES ipprosecution@orrick.com, lpartmann@orrick.com
Submission	Other Motions/Papers
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Date	05/11/2010
Attachments	Stipulation.PDF (3 pages)(75321 bytes)

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

In the matter of trademark application Serial No. 76/678,494
Mark: BLACK STAR · BLACK STAR · PUB & GRILL and design
Published for Opposition on 08/05/2008

MCKENZIE RIVER CORPORATION,

Opposer,

-v-

KITCHEN COFFEE, LLC,

Applicant.

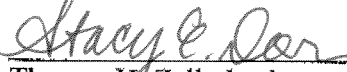
Opposition No. 91188645

STIPULATION REQUESTING DISMISSAL

Opposer McKenzie River Corporation and Applicant Kitchen Coffee, LLC hereby stipulate and jointly request that the above-captioned Opposition be dismissed with prejudice.

Dated: May 10, 2010

Attorneys for Opposer
McKenzie River Corporation

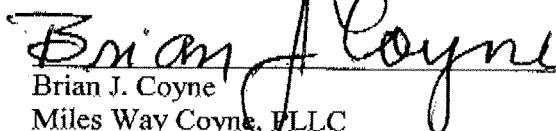


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Dated: May 10, 2010

Attorneys for Applicant
Kitchen Coffee LLC



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CERTIFICATE OF SERVICE

I am more than eighteen years old and not a party to this action. My business address is 400 Capitol Mall, Suite 3000, Sacramento, CA 95814. On May 11, 2010, I served the following document(s) on counsel representing Applicant, Kitchen Coffee, LLC, in the manner set forth below:

STIPULATION REQUESTING DISMISSAL

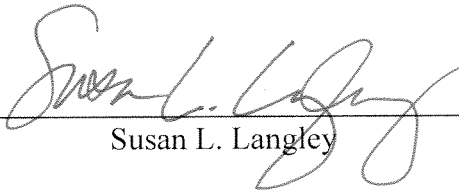
- VIA FACSIMILE: by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- VIA US POSTAL SERVICE: by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Sacramento, California addressed as set forth below.
- VIA US POSTAL SERVICE: I am employed in the county from which the mailing occurred. On the date indicated above, I placed the sealed envelope(s) for collection and mailing at this firm's office business address indicated above. I am readily familiar with this firm's practice for the collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the firm's correspondence would be deposited with the United States Postal Service on this same date with postage thereon fully prepaid in the ordinary course of business.
- VIA PERSONAL SERVICE: by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below:

VIA FEDERAL EXPRESS: by depositing a true and correct copy of the document(s) listed above with Federal Express in Sacramento, California, enclosed in a sealed envelope.

BRIAN J. COYNE
MILES WAY COYNE, PLLC
924 CAPITOL WAY S., SUITE 219
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I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 11, 2010, at Sacramento, California.



Susan L. Langley