

ESTTA Tracking number: **ESTTA580384**

Filing date: **01/07/2014**

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

Proceeding	91207440
Party	Defendant Comfort Window Co., Inc.
Correspondence Address	PHILIP I FRANKEL BOND SCHOENECK KING PLLC 1 LINCOLN CENTER , SUITE 1800 SYRACUSE, NY 13202-1355 UNITED STATES fjprice@bsk.com, calfieri@bsk.com, bskpto@bsk.com
Submission	Other Motions/Papers
Filer's Name	Frederick J.M. Price
Filer's e-mail	bskpto@bsk.com, fjprice@bsk.com, calfieri@bsk.com
Signature	/Frederick J.M. Price/
Date	01/07/2014
Attachments	Stipulation of Dismissal.pdf(19406 bytes)

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

In the matter of the Application Serial No. 85429267
Filed on the 22nd day of September, 2011
For the mark: COMFORT QUADSHIELD GLASS.
Published in the Official Gazette on October 09, 2012

In the matter of the Application Serial No. 85429563
Filed on the 22nd day of September, 2011
For the mark COMFORT QUAD SHIELD GLASS and design
Published in the Official Gazette on August 21, 2012

Champion Window Manufacturing
and Supply Co., LLC,

Opposer,

v.

Comfort Window Co., Inc.,

Applicant.

OPPOSITION NO. 91207440

**STIPULATION OF DISMISSAL OF ALL
CLAIMS AND COUNTERCLAIMS WITH
PREJUDICE**

Champion Window Manufacturing and Supply Co., LLC (Champion), and Comfort Window, Co., Inc. (Comfort), having settled this matter pursuant to a binding settlement agreement, hereby stipulate that all claims be dismissed with prejudice, as follows:

It is hereby stipulated that Champion's Opposition to Comfort's registration application for COMFORT QUADSHIELD GLASS (Serial No. 85429267) and to COMFORT QUAD SHIELD GLASS and design (Serial No. 85429563) be dismissed with prejudice.

It is hereby stipulated that Comfort's Petition to Cancel Champion registration COMFORT 365 WINDOWS (Reg. No.3373431) and COMFORT 365 DOORS (Reg. No. 3373432) be dismissed with prejudice.

Each party will be responsible for its own attorney fees and any costs or fees due to the TTAB will be divided equally.

s/Hallie S. Borellis
William S. Wyler
Hallie S. Borellis
SCHWARTZ MANES RUBY & SLOVIN
2900 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-3090
Phone: 513-579-1414

Attorneys for Champion Window Manufacturing and Supply Co., LLC

s/Frederick Price
Philip I. Frankel
Frederick Price
Bond, Schoeneck, & King
One Lincoln Center,
Syracuse, NY, 13202-1355
Phone: 315-218-8130

Attorneys for Comfort Window Co., Inc.