

ESTTA Tracking number: **ESTTA1089127**

Filing date: **10/15/2020**

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

Proceeding	91253702
Party	Plaintiff Evernote Corporation
Correspondence Address	JENNIFER L. BARRY LATHAM & WATKINS LLP 12670 HIGH BLUFF DRIVE SAN DIEGO, CA 92130 UNITED STATES Primary Email: jennifer.barry@lw.com Secondary Email(s): brett.frazer@lw.com, ipdocket@lw.com, alethia.corneil@lw.com 8585235400
Submission	Withdrawal of Opposition
Filer's Name	Jenifer L. Barry
Filer's email	jennifer.barry@lw.com, alethia.corneil@lw.com, ipdocket@lw.com
Signature	/s/ Jennifer L. Barry
Date	10/15/2020
Attachments	2020_10_15_Corrected Stipulated Express Abandonment of Application and Withdrawal of Opposition_Reg. No. 91253702.pdf(180987 bytes)

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

EVERNOTE CORPORATION,)	
)	
)	
Opposer,)	
v.)	
)	Opposition No. 91253702
FOREVERNOTE, INC.,)	Serial No. 88/619740
)	
)	
Applicant.)	Mark: FOREVERNOTE
)	

**CORRECTED STIPULATED EXPRESS ABANDONMENT OF APPLICATION AND
WITHDRAWAL OF OPPOSITION**

Evernote Corporation (“Opposer”) and Forevernote, Inc. (“Applicant”) have agreed to and executed a settlement agreement to resolve this opposition, and, pursuant to such settlement agreement, Opposer and Applicant, by and through their attorneys, hereby stipulate and agree as follows:

1. Applicant, with the consent of Opposer, hereby expressly abandons and withdraws application Serial No. 88/619740 for the mark FOREVERNOTE.
2. Opposer, with the consent of Applicant, hereby withdraws the present opposition, No. 91/253702.

IT IS SO STIPULATED AND AGREED:

Dated: October 15, 2020

Respectfully submitted,

LATHAM & WATKINS LLP

By: /s/ Jennifer L. Barry
Jennifer L. Barry
LATHAM & WATKINS LLP
12670 High Bluff Drive
San Diego, California 92130-2071
(858) 523-5400 / (858) 523-5450 Fax
jennifer.barry@lw.com; ipdocket@lw.com

Attorneys for Opposer
Evernote Corporation

RUTAN & TUCKER, LLP

By: /s/ Michael D. Adams
Michael D. Adams
Rutan & Tucker, LLP
611 Anton Boulevard, 14th Floor
Costa Mesa, CA 92626
madams@rutan.com

Attorneys for Applicant
Forevernote Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **CORRECTED STIPULATED EXPRESS ABANDONMENT OF APPLICATION AND WITHDRAWAL OF OPPOSITION** has been served on October 15, 2020, by emailing said copy to Counsel for Applicant:

Michael D. Adams
Rutan & Tucker, LLP
611 Anton Boulevard, 14th Floor
Costa Mesa, CA 92626
madams@rutan.com
dnakata@rutan.com
trademarks@rutan.com

Meredith L. Williams
Rutan & Tucker, LLP
611 Anton Boulevard, 14th Floor
Costa Mesa, CA 92626
mwilliams@rutan.com

Lindsay J. Hulley
Rutan & Tucker, LLP
611 Anton Boulevard, 14th Floor
Costa Mesa, CA 92626
lhulley@rutan.com

Sarah Gilmartin
Rutan & Tucker, LLP
611 Anton Boulevard, 14th Floor
Costa Mesa, CA 92626
sgilmartin@rutan.com

/s/ Jennifer L. Barry