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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIE TECH INC., a Washington
corporation,

Plaintiff/Appellant,

v.

KINEDYNE CORPORATION, a New
Jersey corporation,

Defendant/Respondent.

Civil No. C99-5299 FDB

NOTICE OF APPEAL

Notice is hereby given that plaintiff Tie Tech Inc. appeals to the United States Court of Appeals for the Ninth Circuit from that (1) portion of the order entered on August 15, 2000 granting summary judgment of dismissal with prejudice to defendant on all of plaintiff's claims, and (2) the corresponding judgment which was entered on August 16, 2000.

NOTICE OF APPEAL - 1

SEADOCs:82039. 1

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Brian W. Esler
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October 5, 2000

VIA FACSIMILE AND U.S. MAIL

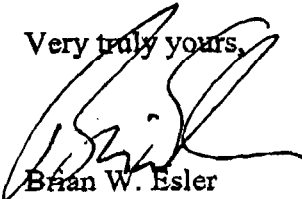
David Mermelstein
U.S. Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, VA 22202-3513

Subject: Kinedyne Corporation v. Tie Tech, Inc.
Cancellation No. 30,129

Dear David:

We represent Tie Tech, Inc. The petitioner (Kinedyne) has previously provided you with a copy of the United States District Court's Order granting petitioner's motion in that court for summary judgment. So you may have complete records on that parallel action, I am enclosing a copy of our notice of appeal from that Order.

Very truly yours,



Brian W. Esler

cc: Jack McIntyre
Bruce Kaser
Thomas Young

MILLER | NASH
LIMITED LIABILITY PARTNERSHIP | ATTORNEYS AT LAW

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Facsimile Transmittal

To: David Mermelstein

Company: U.S. Trademark Trial and
Appeal Board

FAX: ~~(703) 308-7184~~

Telephone: (703) 308-9102

From: Brian W. Esler

Reference: 518530/1 (Tie/Kinedyne)

Date: October 5, 2000

Time:

Total pages including this page: 5

If you do not receive all pages, or if there is any question, please call Eydie White at (206) 622-8484. You will will not receive a mailed original of this fax.

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1 I hereby certify that I served the foregoing NOTICE OF APPEAL on:

2 Christian J. Garascia
3 Young & Basile, P.C.
4 3001 W. Big Beaver Road
5 Suite 624
6 Troy, MI 48084-3107

John C. Guadnola
Gordon, Thomas, Honeywell, et
al.
1201 Pacific Ave., Suite 2200
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Tacoma, WA 98401-1157

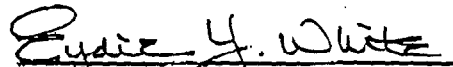
(via U.S. Mail)

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office)

7 by the following indicated method or methods:

- 8 by **faxing** full, true, and correct copies thereof to the attorneys at the
- 9 the fax numbers shown above, which are the last-known fax numbers for
- 10 the attorneys' offices, on the date set forth below. The receiving fax
- 11 machines were operating at the time of service and the transmissions
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- 13 reports.
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- 15 postage-prepaid envelopes, addressed to the attorneys as shown above,
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- 17 United States Postal Service at Seattle, Washington, on the date set
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- 24 the attorneys at the attorneys' last-known office addresses listed above
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26 DATED this 11th day of September, 2000.



Eydie Y. White

Certificate of Service

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DATED this 11th day of September, 2000.

MILLER NASH LLP



Brian W. Esler
WSB No. 22168

Attorneys for Plaintiff
Tie Tech Inc.

NOTICE OF APPEAL - 2