



McCormick, Paulding & Huber LLP
Intellectual Property Law

TTAB

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June 29, 2006

BOX TTAB NO FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Re: Cancellation No. 92041398
POWER TOOL SPECIALISTS, INC., v. ROBERT J. GANASSA

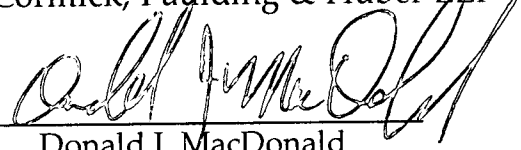
Dear Sirs:

Attached hereto, for filing, is a Stipulation of Dismissal requesting the dismissal of the Petition To Cancel (Cancellation No. 92041398) and the dismissal of the Petition to Cancel filed by TTC against U.S. Trademark Registration No. 2,205,373, as a counterclaim.

Please file same in the above-identified cancellation proceeding. Please contact me at (860) 549-5290 X 1013 if you have any questions or need further information.

Very truly yours,

McCormick, Paulding & Huber LLP

By 
Donald J. MacDonald

DJM/mvs
Enclosures

Cc: Paul Koda

07-03-2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box TTAB, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22313-1450 on the date indicated below.

Mallory V. Schardt
Typed or Printed Name of Person Sending Paper or Fee
Mallory V. Schardt 6/29/06
Signature Date

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

In the matter of the Petition to Cancel: Registration No. 1,460,651
Date of Registration: October 13, 1987
Mark: TRADESMAN TOOL CO.

In the matter of the Counterclaim Petition to Cancel: Registration No. 2,205,373
Date of Registration: November 24, 1998
Mark: TRADESMAN

POWER TOOL SPECIALISTS, INC.,)
)
Petitioner - Counterclaim Respondent) Cancellation No. 92041398
)
v.)
)
ROBERT J. GANASSA,)
)
Respondent - Counterclaim Petitioner)

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Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

STIPULATION OF DISMISSAL

Petitioner, Power Tool Specialists, Inc. ("PTS"), Respondent, Robert J. Ganassa ("GANASSA") and Counterclaim Petitioner, Tradesmen Tool Co., Inc. ("TTC"), by and through their respective undersigned counsel, have entered into a Settlement Agreement resolving the differences on which the above-captioned action is based, and

do hereby stipulate and agree, pursuant to TBMP §605.03(a) and Fed. R. Civ. P. Rule 41(a)(1)(ii), to:

- (i) the dismissal of the Petition To Cancel, Cancellation No. 92041398, with prejudice; and
- (ii) the dismissal of the Petition to Cancel with prejudice filed by TTC against U.S. Trademark Registration No. 2,205,373 as a counterclaim (“Counterclaim”) in the above-captioned proceeding.

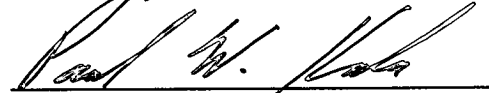
The parties, PTS, GANASSA, and TTC, further stipulate and agree that the Board’s dismissal with prejudice of the above-captioned Cancellation Proceeding and Counterclaim extends to and precludes any other cause of action between PTS and GANASSA and/or TTC arising out of the same transaction or occurrence upon which the above-captioned Cancellation Proceeding and Counterclaim is based.

The parties, PTS, GANASSA, and TTC, further stipulate and agree that the causes of action dismissed herein shall not be pursued, instituted, or supported in any manner with an administrative agency, state court, federal court, or any other judicial authority at any time in the future, including, without limitation, a trademark cancellation or opposition proceeding in the United States or in any other country.

WHEREFORE, the parties, PTS, GANASSA, and TTC, respectfully request an order dismissing with prejudice the above-captioned Cancellation Proceeding and Counterclaim.

TRADESMAN TOOL CO., INC.

ROBERT J. GANASSA



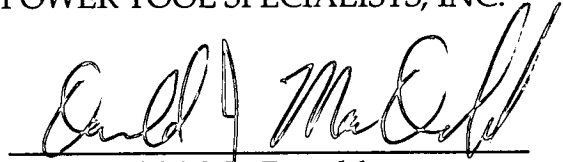
by, Paul Koda, Esq.

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Attorney for:

ROBERT J. GANASSA and
TRADESMAN TOOL CO., INC

POWER TOOL SPECIALISTS, INC.



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