

ESTTA Tracking number: **ESTTA49903**

Filing date: **10/21/2005**

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

Proceeding	92043544
Party	Defendant Home Discovere Real Estate Services Corporation Home Discovere Real Estate Services Corporation 17918 Bahama Isle Tampa, FL 33647
Correspondence Address	ALAN M WEISBERG CHRISTOPHER & WEISBERG, PA 200 EAST LAS OLAS BLVD., SUITE 2040 FORT LAUDERDALE, FL 33301
Submission	Joint Stipulation of Dismissal of Petition and Counterclaim
Filer's Name	Alan M. Weisberg
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Signature	/Alan M. Weisberg/
Date	10/21/2005
Attachments	92043544_Dismissal_Stip.pdf (3 pages)

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

DAVID GORMAN d/b/a CASHBACKrealty.com,)

Petitioner)

v.)

HOME DISCOVERE REAL ESTATE)
SERVICES CORPORATION,)

Registrant)

Cancellation No.: 92043544

Registration No. 2,856,094

Mail Stop TTAB
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513


JOINT STIPULATION OF DISMISSAL OF PETITION AND COUNTERCLAIM

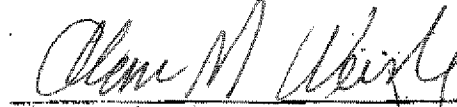
The parties, by and through counsel, hereby notify the Board that they have settled their dispute. Accordingly, it is hereby stipulated that the petition for cancellation of Registration No. 2,856,094 for the mark "1% CASH BACK TO BUYERS" be dismissed with prejudice, and the counterclaim for cancellation of Registration No. 2,420,938 for the mark, "CASHBACK REALTY.COM 'YOUR INTERNET REAL ESTATE BUYER BROKER'" likewise be dismissed with prejudice.

Dated: October 21, 2005

MCFADDEN & SHOREMAN, LLC

CHRISTOPHER & WEISBERG, P.A.


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Attorneys for Registrant

SO ORDERED:

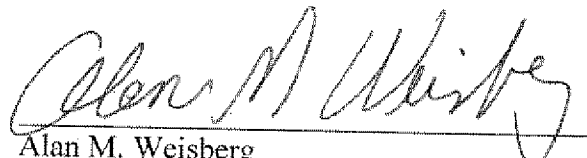
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CERTIFICATE OF TRANSMISSION

Pursuant to 37 C.F.R. § 2.197, the undersigned certifies that the foregoing Joint Stipulation of Dismissal of Petition and Counterclaim was electronically transmitted to the Trademark Trial and Appeals Board using the Electronic System for Trademark Trials and Appeals this 21st day of October, 2005.


Alan M. Weisberg

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