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Filing date: **06/29/2009**

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

| | |
|---------------------------|--|
| Proceeding | 92050845 |
| Party | Plaintiff Cabin Creek, LLC |
| Correspondence Address | Thomas P. Isom In-house Counsel 1199 W. 700 South Pleasant Grove, UT 84062 UNITED STATES thomasi@closetomyheart.com |
| Submission | Other Motions/Papers |
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| Date | 06/29/2009 |
| Attachments | 92050845-STIPULATION.pdf (1 page)(42867 bytes) |

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

CABIN CREEK, LLC,

Petitioner,

v.

HEARTSTEPS, INC.,

Registrant

TTAB No.: 92050845

STIPULATION

Registration No.: 3,220,580

Registration date: March 20, 2007

Registration No.: 3,074,494

Registration date: March 28, 2006

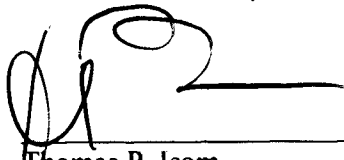
Petitioner Cabin Creek, LLC, and Registrant HeartSteps, Inc., stipulate and agree as follows concerning the above-referenced matter:

1. Registrant HeartSteps, Inc., will surrender and voluntarily cancel its Registration No. 3,220,580 for the trademark HEART REFLECTIONS, pursuant to § 7(e) of the Trademark Act and 37 CFR § 2.172 and § 2.134.

2. Petitioner Cabin Creek, LLC, will forthwith amend its petition for cancellation to withdraw and delete the claim concerning Registration No. 3,074,494 for the trademark STONE~REFLECTIONS.

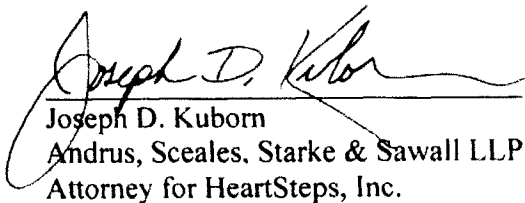
3. The parties stipulate to suspension of the cancellation proceeding pending settlement.

4. Once cancellation of Registration No. 3,220,580 for the trademark HEART REFLECTIONS appears of record, petitioner Cabin Creek, LLC, will withdraw the instant petition for cancellation in full; or in the alternative, the matter may be dismissed pursuant to this Stipulation.



Thomas P. Isom
Attorney for Cabin Creek, LLC

June 29, 2009
Date



Joseph D. Kuborn
Andrus, Scales, Starke & Sawall LLP
Attorney for HeartSteps, Inc.

6/29/09
Date