

ESTTA Tracking number: **ESTTA315694**

Filing date: **11/06/2009**

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

Proceeding	92051465
Party	Plaintiff EA Digital Illusions CE AB and Electronic Arts Inc.
Correspondence Address	John W. Crittenden Cooley Godward Kronish LLP 101 California Street, 5th Floor San Francisco, CA 94111 UNITED STATES trademarks@cooley.com
Submission	Other Motions/Papers
Filer's Name	Gavin L. Charlston
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Signature	/GLC/
Date	11/06/2009
Attachments	EA-EDGE Req Jud Notice.pdf (15 pages)(412661 bytes)

REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PETITIONER'S
OPPOSITION TO REGISTRANT'S MOTION TO DISMISS
CANCELLATION NO. 92051465

Pursuant to Fed. R. Evid. 201 and TBMP § 704.12, Petitioners hereby request that the Board take judicial notice of the following documents:

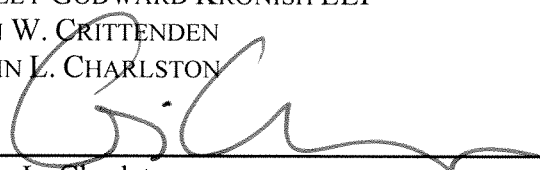
1. The civil docket for Case No. 3:08-CV-00135-JRS, *Velocity Micro, Inc. v. Edge Interactive Media, Inc.*, before the United States District Court for the Eastern District of Virginia, and obtained through the federal court's Public Access to Court Electronic Records (PACER) system on November 3, 2009. Judicial notice of the docket is proper under Fed. R. Evid. 201(b) because it is "not subject to reasonable dispute" in that it is "capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." *See also* TBMP § 704.12(a). A true and correct copy of the civil docket for Case No. 3:08-CV-00135-JRS, *Velocity Micro, Inc. v. Edge Interactive Media, Inc.*, is attached hereto as Exhibit A.

2. The docket for Case No. 92049162, *Velocity Micro, Inc. v. EDGE Games, Inc.*, before the United States Patent & Trademark Office ("USPTO") Trademark Trial & Appeal Board ("TTAB"), and obtained through the USPTO's TTABVUE service on November 6, 2009. Judicial notice of the TTAB docket is proper under Fed. R. Evid. 201(b). *See also* TBMP § 704.12(a). A true and correct copy of the docket for Case No. 92049162, *Velocity Micro, Inc. v. EDGE Games, Inc.*, is attached hereto as Exhibit B.

Date: November 6, 2009

Respectfully submitted,

COOLEY GODWARD KRONISH LLP
JOHN W. CRITTENDEN
GAVIN L. CHARLSTON

By: 
Gavin L. Charlston
101 California Street, Fifth Floor
San Francisco, California 94111-5800
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CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2009, a true and correct copy of **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PETITIONERS' OPPOSITION TO REGISTRANT'S MOTION TO DISMISS**, filed by EA Digital Illusions CE AB and Electronic Arts Inc., and Certificate of Service was served via e-mail at tim@edgegames.com and by mailing said copies via Express Mail, Return Receipt addressed to:

EDGE Games, Inc.
530 SOUTH LAKE AVENUE SUITE 171
PASADENA, CA 91101

[Express Mail No. EM410811976US]

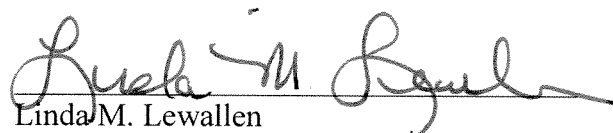

Linda M. Lewallen

EXHIBIT A

CLOSED, JURY

**U.S. District Court
Eastern District of Virginia - (Richmond)
CIVIL DOCKET FOR CASE #: 3:08-cv-00135-JRS**

Velocity Micro, Inc. v. Edge Interactive Media, Inc.
Assigned to: District Judge James R. Spencer
Cause: 15:1121 Trademark Infringement

Date Filed: 02/29/2008
Date Terminated: 12/16/2008
Jury Demand: Plaintiff
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff

Velocity Micro, Inc.

represented by **Stephen Charles Piepgrass**
Troutman Sanders LLP
Troutman Sanders Bldg
1001 Haxall Point
PO Box 1122
Richmond , VA 23218-1122
(804) 697-1320
Fax: (804) 698-5147
Email:
stephen.piepgrass@troutmansanders.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amy Gwynn Marino
Williams Mullen PC
222 Central Park Ave
Suite 1700
Virginia Beach , VA 23462-3035
(757) 473-5393
Fax: (757) 473-0395
Email: amarino@williamsmullen.com

Defendant

Edge Interactive Media, Inc.
The

represented by **Thomas Hunt Roberts**
Thomas H. Roberts & Associates PC
105 S First St
Suite A
Richmond , VA 23219
(804) 783-2000
Email: thr@robertslaw.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffrey Howard Greger
Lowe Hauptman Ham & Berner LLP
1700 Diagonal Road
Suite 300
Alexandria , VA 22314
703-684-1111
Fax: 703-518-5499
Email: jhgreger@ipfirm.com
TERMINATED: 09/30/2008

Defendant

Edge Games Inc.

represented by **Thomas Hunt Roberts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffrey Howard Greger
(See above for address)
TERMINATED: 09/30/2008

ThirdParty Defendant

Best Buy, Inc.

ThirdParty Plaintiff

Edge Interactive Media, Inc.
The

represented by **Thomas Hunt Roberts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffrey Howard Greger
(See above for address)
TERMINATED: 09/30/2008

Counter Claimant

Edge Interactive Media, Inc.
The

represented by **Thomas Hunt Roberts**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jeffrey Howard Greger
(See above for address)
TERMINATED: 09/30/2008

Counter Defendant

Velocity Micro, Inc.

represented by **Stephen Charles Piepgrass**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Amy Gwynn Marino
(See above for address)

Date Filed	#	Docket Text
02/29/2008	<u>1</u>	COMPLAINT against Edge Interactive Media, Inc.; filing fee paid \$ 350, receipt number 4104; filed by Velocity Micro, Inc. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet, # <u>3</u> Receipt)(cmcc,) (Entered: 03/03/2008)
03/05/2008	<u>2</u>	AMENDED COMPLAINT against Edge Interactive Media, Inc., filed by Velocity Micro, Inc.. (Attachments: # <u>1</u> Exhibit)(Marino, Amy) (Entered: 03/05/2008)
03/13/2008	<u>3</u>	Summons Issued for Amended Complaint as to Edge Interactive Media, Inc. (counsel called for pick up)(summons mailed to counsel-never picked up) (cmcc,) Modified on 4/1/2008 (cmcc,). (Entered: 03/13/2008)
05/02/2008	<u>4</u>	MOTION for Extension of Time to File Answer to <u>2</u> Amended Complaint by Velocity Micro, Inc.. (Attachments: # <u>1</u> Proposed Order Granting Extension of Time). (Marino, Amy). Modified docket entry on 5/2/2008. (walk,). (Entered: 05/02/2008)
05/02/2008		Notice of Correction re: Document 4, the filing user has been notified to file future documents with the correct nine-element signature block at the conclusion of the pleading and with the accompanying Certificate of Service (must be included twice with each document). (walk,) (Entered: 05/02/2008)
05/12/2008	<u>5</u>	ORDER granting <u>4</u> Motion for Extension of Time to Answer to First Amended Complaint; defendant Edge Interactive Media, Inc. answer due 6/2/2008; Signed by District Judge James R. Spencer on 5/9/08. (Isal) (Entered: 05/12/2008)
05/14/2008	<u>6</u>	SUMMONS Returned Executed by Velocity Micro, Inc. Edge Interactive Media, Inc. served on 4/12/2008, answer due 5/2/2008 (original summons not received). (cmcc,) (Entered: 05/15/2008)
06/02/2008	<u>7</u>	ORDER that the Court GRANTS the Defendant, Edge Interactive Media, Inc., an additional twenty-one days to enter an appearance in this case and file a responsive pleading. Upon expiration of the twenty-one day period, the Court will determine at that time whether service of process was deficient, whether Defendant's responsive pleading is timely, and whether any party has engaged in improper conduct. (See Order for details.) Signed by Chief District Judge James R. Spencer on 6/02/2008. Copies to counsel of record; Jack Phillips, 530 South Lake Avenue, Suite 171, Pasadena, California 91101; and Tim Langdell, 530 South Lake Avenue, Suite 171, Pasadena, California 91101.(cmcc,) (Entered: 06/02/2008)
07/01/2008	<u>9</u>	Request for Entry of Default as to <i>Defendant The Edge Interactive Media, Inc.</i> by Velocity Micro, Inc.. (Piegrass, Stephen) (Entered: 07/01/2008)
07/01/2008	<u>10</u>	Memorandum in Support re <u>9</u> Request for Entry of Default as to <i>Defendant The Edge Interactive Media, Inc.</i> filed by Velocity Micro, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D (Affidavit of Robert L. Brooke), # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Piegrass, Stephen) (Entered: 07/01/2008)
07/14/2008	<u>12</u>	ORDER that the Court GRANTS Edge Interactive an additional seven days from this Order's date of entry to retain local counsel and to properly file responsive pleadings in this matter. The Court ADVISES Edge Interactive that failure to do so may result in

		entry of default. Signed by District Judge James R. Spencer on 7/14/2008. Copies to counsel of record; Jack Phillips, 530 South Lake Avenue, Suite 171, Pasadena, CA 91101; and Tim Langdell, 530 South Lake Avenue, Suite 171, Pasadena, CA 91101.(cmcc,) (Entered: 07/14/2008)
07/22/2008	<u>13</u>	Second Request for Entry of Default as to <i>The Edge Interactive Media, Inc.</i> by Velocity Micro, Inc.. (Piepgrass, Stephen) Modified on 7/22/2008 to amend event (cmcc,). (Entered: 07/22/2008)
08/01/2008	<u>14</u>	ORDER on receipt of a letter from Jack Phillips contesting service of process on behalf of dft Edge Interactive Media, Inc. and requesting an additional thirty days to locate local counsel; the Court GRANTS Edge Interactive a twenty-one day extension from date of this Order to obtain local counsel and to file a responsive pleading to Velocity's Complaint; Edge Interactive is ADVISED that failure to file a responsive pleading may result in an entry of default. Signed by District Judge James R. Spencer on 7/31/2008. Copies to counsel; Jack Phillips, 530 South Lake Avenue, Suite 171, Pasedena, California 91101; and Tim Langdell, 530 South Lake Avenue, Suite 171, Pasedena, California 91101.(cmcc,) (Entered: 08/01/2008)
08/21/2008	<u>16</u>	ANSWER to Complaint, First THIRD PARTY COMPLAINT against Best Buy Inc., First COUNTERCLAIM against Velocity Micro, Inc., by Edge Interactive Media, Inc. (Attachments: # <u>1</u> Exhibit Exhibit A 1-3, # <u>2</u> Exhibit Exhibit B,C, and D, # <u>3</u> Exhibit Exhibit E 1-4, # <u>4</u> Exhibit Exhibit F 1-2, # <u>5</u> Exhibit Exhibits G-K, # <u>6</u> Exhibit Exhibit L-N)(Greger, Jeffrey) Modified on 8/28/2008 to edit text(cmcc,). (Entered: 08/21/2008)
08/28/2008	<u>17</u>	Summons on Third-Party Complaint Issued as to Best Buy, Inc. (mailed to counsel for Third-Party Plaintiff) (cmcc,) (Entered: 08/28/2008)
09/09/2008	<u>18</u>	ORDER denying <u>9</u> Pltf Velocity Micro, Inc.'s Motion for Entry of Default and <u>13</u> Second Motion for Entry of Default, the Court having granted Dft Edge Interactive Media, Inc. four extension of time to retain local counsel and file a responsive pleading, which pleading was filed within the Court's allotted time. Signed by District Judge James R. Spencer on 9/8/2008. Copies to counsel, to Jack Phillips, 530 South Lake Avenue, Suite 171, Pasedena, CA 91101, and to Tim Langdell, 530 South Lake Avenue, Suite 171, Pasedena, CA 91101. (cmcc,) (Entered: 09/09/2008)
09/10/2008	<u>19</u>	MOTION to Dismiss <u>16</u> Counterclaim of Defendant <i>The Edge Interactive Media, Inc.</i> and for Reconsideration of Order Denying Motion for Entry of Default by Velocity Micro, Inc.. (Piepgrass, Stephen). Modified docket entry on 9/11/2008. (walk,). (Entered: 09/10/2008)
09/10/2008	<u>20</u>	Memorandum in Support re <u>19</u> MOTION to Dismiss <u>16</u> Counterclaim of Defendant <i>The Edge Interactive Media, Inc.</i> , <u>21</u> Motion for Reconsideration of Order Denying Motion for Entry of Default filed by Velocity Micro, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11)(Piepgrass, Stephen) Modified on 9/10/08 to edit text. (cmcc) (Entered: 09/10/2008)
09/10/2008	<u>21</u>	MOTION for Reconsideration re <u>18</u> Order on Motion for Entry of Default,,,,, by Velocity Micro, Inc.. (Piepgrass, Stephen) (Entered: 09/10/2008)
09/18/2008	<u>22</u>	MOTION to Withdraw as Attorney by Edge Games Inc. [filed with Motion for Extension of Time (for Edge Games to obtain counsel and file responses)]. (Greger,

		Jeffrey) Modified to edit text (cmcc,). (Entered: 09/18/2008)
09/18/2008	<u>23</u>	Memorandum in Support re <u>22</u> MOTION to Withdraw as Attorney filed by Edge Games Inc.. (Attachments: # <u>1</u> Exhibit Declaration of Jeffrey Greger)(Greger, Jeffrey) (Entered: 09/18/2008)
09/23/2008	<u>24</u>	MOTION for Sanctions by Velocity Micro, Inc.. (Piegrass, Stephen) (Entered: 09/23/2008)
09/23/2008	<u>25</u>	Memorandum in Opposition re <u>22</u> MOTION to Withdraw as Attorney, <u>24</u> MOTION for Sanctions , <i>Memorandum in Support</i> filed by Velocity Micro, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Piegrass, Stephen) (Entered: 09/23/2008)
09/23/2008	<u>26</u>	Response to <u>22</u> MOTION to Withdraw as Attorney, <u>23</u> Memorandum in Support <i>supplement thereto</i> filed by Edge Games Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Jeffrey Greger)(Greger, Jeffrey) (Entered: 09/23/2008)
09/24/2008	<u>27</u>	Withdrawal of Motion by Velocity Micro, Inc. re <u>24</u> MOTION for Sanctions <i>Against Jeffrey H. Greger, Jeffrey H. Greger, PC, and Lowe Hauptman Ham & Berner LLP</i> (Piegrass, Stephen) (Entered: 09/24/2008)
09/25/2008	<u>28</u>	REPLY to Response to Motion re <u>22</u> MOTION to Withdraw as Attorney filed by Edge Games Inc.. (Attachments: # <u>1</u> Affidavit Declaration of Jeffrey Greger)(Greger, Jeffrey) (Entered: 09/25/2008)
09/30/2008	<u>29</u>	ORDER granting in part and denying in part <u>22</u> Motion to Withdraw as Attorney and Request for an Extension of Time (for Edge to obtain counsel and file a response), filed by Jeffrey H. Greger, Counsel for Edge Games, Inc. The Court GRANTS Attorney Greger's Motion to Withdraw and DENIES Mr. Greger's request for an extension of time. ORDERED that all responses and replies remain intact and no further extension is given. Signed by District Judge James R. Spencer on 9/30/2008. Copies to all counsel and to Jack Phillips, 530 South Lake Avenue, Suite 171, Pasadena, CA 91101, and to Tim Langdell, 530 South Lake Avenue, Suite 171, Pasadena, CA 91101. (cmcc,) (Entered: 09/30/2008)
09/30/2008	<u>30</u>	Notice of Hearing Date set for October 27, 2008, at 11:00 a.m. re <u>19</u> MOTION to Dismiss <i>Counterclaim of Defendant The Edge Interactive Media, Inc. and for Reconsideration of Order Denying Motion for Entry of Default</i> , <u>24</u> MOTION for Sanctions, <u>21</u> MOTION for Reconsideration re <u>18</u> Order on Motion for Entry of Default,,,,, (Piegrass, Stephen) (Entered: 09/30/2008)
10/10/2008	<u>31</u>	NOTICE of Appearance by Thomas Hunt Roberts on behalf of Edge Interactive Media, Inc., Edge Games Inc. (Roberts, Thomas) (Entered: 10/10/2008)
10/21/2008	<u>32</u>	MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION to Dismiss <i>Counterclaim of Defendant The Edge Interactive Media, Inc. and for Reconsideration of Order Denying Motion for Entry of Default</i> , <u>21</u> MOTION for Reconsideration re <u>18</u> Order on Motion for Entry of Default,,,,,, <u>20</u> Memorandum in Support, <i>and Motion for Sanctions</i> , MOTION for Leave to File by Edge Interactive Media, Inc., Edge Games Inc.. (Attachments: # <u>1</u> Exhibit Proposed Memo in Opp to 12(b)6 and Motion to Reconsider, # <u>2</u> Exhibit B - Proposed Memo In Opp to Sanctions, # <u>3</u> Exhibit C - Proposed Motion to Substitute, Intervene and Joinder, # <u>4</u> Exhibit D- Proposed Amended Answer/Counterclaim/3rd Party Claim)(Roberts, Thomas) (Entered: 10/21/2008)

10/21/2008	<u>33</u>	Memorandum in Support re <u>32</u> MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION to Dismiss <i>Counterclaim of Defendant The Edge Interactive Media, Inc. and for Reconsideration of Order Denying Motion for Entry of Default</i> , <u>21</u> MOTION for Reconsideration re MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION to Dismiss <i>Counterclaim of Defendant The Edge Interactive Media, Inc. and for Reconsideration of Order Denying Motion for Entry of Default</i> , <u>21</u> MOTION for Reconsideration re MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION to Dismiss <i>Counterclaim of Defendant The Edge Interactive Media, Inc. and for Reconsideration of Order Denying Motion for Entry of Default</i> , <u>21</u> MOTION for Reconsideration re MOTION for Leave to File filed by Edge Interactive Media, Inc., Edge Games Inc.. (Roberts, Thomas) (Entered: 10/21/2008)
10/22/2008		Motion Hearing set for 10/27/2008 at 11:00 AM before District Judge James R. Spencer. (khan,) (Entered: 10/22/2008)
10/22/2008	<u>34</u>	RESPONSE in Opposition re <u>32</u> MOTION for Extension of Time to File Response/Reply as to <u>19</u> MOTION to Dismiss Counterclaim of Defendant The Edge Interactive Media, Inc. and for Reconsideration of Order Denying Motion for Entry of Default and <u>21</u> MOTION for Reconsideration re <u>18</u> Order on Motion for Entry of Default. (Piegrass, Stephen). Modified docket entry on 10/23/2008. (walk,). (Entered: 10/22/2008)
10/24/2008	<u>35</u>	ORDER GRANTING IN PART AND DENYING IN PART Defendant's <u>32</u> Motion for an Extension and Leave to File Pleadings. The Court will GRANT the motion as it relates to the Defendant's Memorandum in Opposition to Plaintiff's Motion for Reconsideration and Rule 12(b)(6) Motion, and as it relates to Defendant's Memorandum in Opposition to Plaintiff's Motion for Sanctions. Counsel for the Defendant is hereby DIRECTED to electronically file these two Memoranda, unaltered. The Court further DENIES WITHOUT PREJUDICE Defendant's request to file a Motion to Substitute the Party Defendant, and an Amended Answer. Signed by District Judge James R. Spencer on 10/23/2008. (walk,) (Entered: 10/24/2008)
10/24/2008	<u>36</u>	Memorandum in Opposition re <u>13</u> Request for Entry of Default as to Edge Interactive Media, Inc., <u>9</u> Request for Entry of Default as to <i>Defendant The Edge Interactive Media, Inc.</i> , <u>19</u> MOTION to Dismiss <i>Counterclaim of Defendant The Edge Interactive Media, Inc. and for Reconsideration of Order Denying Motion for Entry of Default</i> , <u>21</u> MOTION for Reconsideration re <u>18</u> Order on Motion for Entry of Default,,,,, filed by Edge Interactive Media, Inc., Edge Games Inc.. (Roberts, Thomas) (Entered: 10/24/2008)
10/24/2008	<u>37</u>	Memorandum in Opposition re <u>24</u> MOTION for Sanctions filed by Edge Interactive Media, Inc., Edge Games Inc.. (Roberts, Thomas) (Entered: 10/24/2008)
10/24/2008		Notice of Correction: Counsel will refile 37 Memorandum in Opposition (with correct PDF document attached). Incorrect document has been removed at counsel's request.(cmcc,) (Entered: 10/27/2008)
10/27/2008	<u>38</u>	Memorandum in Opposition re <u>24</u> MOTION for Sanctions (<i>type & certificate corrected</i>) filed by Edge Interactive Media, Inc.. (Roberts, Thomas) (Entered: 10/27/2008)
10/27/2008	<u>39</u>	Minute Entry for proceedings held before District Judge James R. Spencer: Motion Hearing held on 10/27/2008 re <u>19</u> MOTION to Dismiss <i>Counterclaim of Defendant The Edge Interactive Media, Inc. and for Reconsideration of Order Denying Motion for</i>

		<i>Entry of Default</i> filed by Velocity Micro, Inc., <u>24</u> MOTION for Sanctions filed by Velocity Micro, Inc., <u>21</u> MOTION for Reconsideration re <u>18</u> Order on Motion for Entry of Default,,,,, filed by Velocity Micro, Inc. Matter taken under advisement. (Court Reporter Jeff Kull, OCR.) (khan,) (Entered: 10/27/2008)
11/07/2008	<u>40</u>	MEMORANDUM OPINION. Signed by District Judge James R. Spencer on 11/07/2008. Copies to counsel.(cmcc,) (Entered: 11/07/2008)
11/07/2008	<u>41</u>	ORDER denying <u>19</u> Plaintiff's Motion to Dismiss Defendant's Counterclaim; denying <u>21</u> Plaintiff's Motion for Reconsideration of the Court's Order Denying Default; granting <u>24</u> Plaintiff's Motion for Sanctions; as stated in Memorandum Opinion Defendant Edge Interactive will be held responsible for all misrepresentations by Jack Phillips and previous counsel, Jeffrey H. Greger; Pltf is ORDERED to file affidavits outlining with specificity, any attorneys' fees or other relevant costs and fees incurred as a result of Defendant's misrepresentations and the Court's granting of multiple extensions; said information to be submitted to the Court within ten days. Signed by District Judge James R. Spencer on 11/07/2008. Copies to counsel. (cmcc,) (Entered: 11/07/2008)
11/24/2008	<u>42</u>	ANSWER to Counterclaim by Velocity Micro, Inc. (Piegrass, Stephen) Modified on 11/25/2008 to edit text (cmcc,). (Entered: 11/24/2008)
11/24/2008	<u>43</u>	Response ("Affidavit") to Order re <u>41</u> Order on Motion to Dismiss by Velocity Micro, Inc. (Attachments: # <u>1</u> Exhibit A)(Piegrass, Stephen) Modified on 11/25/2008 to edit text (cmcc,). (Entered: 11/24/2008)
12/01/2008		Case settled per Judge's chambers. (khan,) (Entered: 12/01/2008)
12/01/2008	<u>44</u>	Third-Party Summons Returned Unexecuted by Edge Interactive Media, Inc. as to Best Buy, Inc. (cmcc,) (Entered: 12/01/2008)
12/15/2008		Set Deadlines/Hearings In Chambers Conference set for 12/16/2008 at 08:30 AM before District Judge James R. Spencer. (khan,) (Entered: 12/15/2008)
12/16/2008	<u>45</u>	FINAL ORDER that the Third-Party Complaint of The Edge Interactive Media, Inc. against Defendant Best Buy, Inc. is DISMISSED Without Prejudice, pursuant to FRCP Rule 41; the Motion of Edge Games, Inc. to be joined as a party is GRANTED; the Answer and Counterclaim of Edge Games, Inc., previously identified as Exhibit D to Docket entry 32 is deemed filed herein (the third party complaint having been dismissed as stated herein is not included in this filing); the Complaint of Velocity Micro, Inc. against The Edge Interactive Media, Inc. is DISMISSED With Prejudice; Edge Games, Inc. and The Edge Interactive Media, Inc., are deemed to have defended and succeeded on the merits with respect to the Complaint; the Order GRANTING sanctions to Velocity Micro, Inc. is VACATED and no sanctions shall issue against The Edge Interactive Media, Inc.; and Judgment on all Counts of the Counterclaims of The Edge Interactive Media, Inc. and Edge Games, Inc. against Velocity Micro, Inc. is ENTERED against Velocity Micro, Inc. (please see Order for additional information). Nothing further remaining to be done herein, this matter is STRICKEN from the Court's docket and placed among the ended causes. Signed by District Judge James R. Spencer on 12/16/2008. (walk,) (Entered: 12/16/2008)

PACER Service Center

Transaction Receipt			
11/03/2009 20:14:05			
PACER Login:	cg0071	Client Code:	054697-20001-13412
Description:	Docket Report	Search Criteria:	3:08-cv-00135-JRS
Billable Pages:	6	Cost:	0.48

EXHIBIT B

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TTABVUE. Trademark Trial and Appeal Board Inquiry System

v1.5

Cancellation**Number:** 92049162**Filing Date:** 04/09/2008**Status:** Terminated**Status Date:** 12/18/2008**Interlocutory Attorney:** GEORGE POLOGEORGIS**Defendant****Name:** EDGE Games, Inc.**Correspondence:** The EDGE Interactive Media Inc
ATT: Dr. Tim Langdell
530 South Lake Avenue, Suite 171
Pasadena, CA 91101
UNITED STATES
edgegames@gmail.com**Serial #:** 78807446 Application File**Registration #:** 3381826**Application Status:** Cancellation Pending**Mark:** GAMER'S EDGE**Plaintiff****Name:** Velocity Micro, Inc.**Correspondence:** Robert L. Brooke
Troutman Sanders LLP
Post Office Box 1122
Richmond, VA 23218
UNITED STATES
trademarks@troutmansanders.com**Prosecution History**

#	Date	History Text	Due Date
14	12/18/2008	TERMINATED	
<u>13</u>	12/18/2008	<u>BOARD'S DECISION: DISMISSED W/ PREJUDICE</u>	
<u>12</u>	12/16/2008	<u>WITHDRAWAL OF PETITION FOR CANCELLATION</u>	
<u>11</u>	12/16/2008	<u>FINAL ORDER</u>	
<u>10</u>	10/07/2008	<u>SUSPENDED PENDING DISP OF CIVIL ACTION</u>	
<u>9</u>	08/18/2008	<u>PLAINTIFF'S MOTION</u>	
8	08/04/2008	P REQUEST FOR DISCOVERY CONFERENCE-PHONE	
<u>7</u>	05/17/2008	<u>ANSWER</u>	
<u>6</u>	06/09/2008	<u>TRIAL DATES RESET</u>	
<u>5</u>	05/29/2008	<u>P'S MOTION TO JOIN/SUBSTITUTE PARTY</u>	
<u>4</u>	05/16/2008	<u>D'S MOTION TO JOIN/SUBSTITUTE PARTY</u>	
3	04/09/2008	PENDING, INSTITUTED	
<u>2</u>	04/09/2008	<u>NOTICE AND TRIAL DATES SENT; ANSWER DUE:</u>	05/19/2008
<u>1</u>	04/09/2008	<u>FILED AND FEE</u>	

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