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

Proceeding	92051465
Party	Defendant Edge Games, Inc., and Future Publishing, Ltd.
Correspondence Address	TIM LANGDELL EDGE GAMES INC 530 SOUTH LAKE AVENUE, 171 PASADENA, CA 91101 UNITED STATES uspto@edgegames.com
Submission	Other Motions/Papers
Filer's Name	Tim Langdell
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Date	04/11/2013
Attachments	LetterToTTAB11Apr2013.pdf ( 2 pages )(151375 bytes )



Trademark Trial And Appeal Board  
U.S Patent and Trademark Office  
P.O. Box 1451  
Alexandra, Virginia 22313-1451

April 11, 2013

Filed via ESTTA

**Re: Urgent Notice to the Board  
Why the Board is obliged to vacate its 4/9/13 Decision  
Cancellation Proceedings No. 92051465**

Dear Sir or Madam,

We refer to our recent submission and filings at Docket Nos. 87-90, 93, 95, and particularly the submissions at Docket Nos. 96-98.

The Board will notice on review of the submissions in these proceedings that while Petitioners (and Co-Defendant Future) have called for the Board to cancel Edge Games Inc.'s ("EDGE") five trademark registrations based on the 2010 District Court Order, Petitioners (and Future) have been careful not to call for the Board to grant the instant petition in Petitioners' favor (that is, they have been careful not to ask the Board to decide judgment in these proceedings in Petitioners' favor).

There is a good reason for this that is covered in our recent submissions – namely, that it is directly in breach of the 2010 Settlement between Petitioners and EDGE (which settlement Petitioners repeatedly claim is valid) for Petitioners petition to be granted in Petitioners favor. Further, by breaching the Settlement Agreement, the 2010 District Court Order is then automatically voided, too. This is the reason that Petitioners have been very careful not to ask the Board to make a decision granting its petition. And again EDGE draws the Board's attention to Docket #28 in which Petitioners first asked for Judgment based on the Court's 2010 Final Order, and then Docket #33 where the Petitioners swiftly withdrew their Request For Judgment based on the Court Order. To be clear, **the Settlement between Petitioners and EDGE requires that the Board cannot terminate these proceedings with a decision that grants Petitioners petition** – a fact the Board can confirm for itself by review of the submissions. Consequently, the Board is not permitted to make the decision it made on 4/9/13, and must immediately vacate it.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Langdell".

Dr Tim Langdell, CEO.

**EDGE Games, Inc.,**

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Certificate of Service

In accordance with Rule 2.105(a) of the Trademark Rules of Practice, as amended, it is hereby certified that a true copy of Defendant Edge Games Inc's Notice To The Board was served on the following parties of record, by depositing same in the U.S. Mail, first class postage prepaid, this 11th day of April, 2013:

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