

ESTTA Tracking number: **ESTTA436840**

Filing date: **10/19/2011**

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

| | |
|------------------------|--|
| Proceeding | 92052230 |
| Party | Plaintiff David Pack |
| Correspondence Address | WILLIAM G MEYER III DWYER SCHRAFF MEYER GRANT & GREEN 900 FORT STREET MALL, STE 1800 HONOLULU, HI 96813 UNITED STATES wmeyer@dwyerlaw.com |
| Submission | Testimony For Plaintiff |
| Filer's Name | William G. Meyer, III |
| Filer's e-mail | wmeyer@dwyerlaw.com |
| Signature | /William G. Meyer, III/ |
| Date | 10/19/2011 |
| Attachments | Exhibits to Declaration of Petitioner David Pack (71-73)(Part 12 of 12).pdf (8 pages)(272335 bytes) |

David Pack v. Ambrosia Touring Band, Cancellation No. 92052230

Petitioner's Exhibits to Declaration of Petitioner David Pack

EXHIBIT 71

MORRISON & FOERSTER LLP

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October 20, 2003

By Telefacsimile

Robert W. Beck, Esq.
Law Offices of Beck & Browning
3828 Carson Street, Suite 100
Torrance, CA 90503-6710

Re: *David Pack v. Burleigh Drummond et al.*

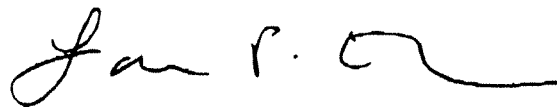
Dear Mr. Beck:

This confirms our agreement, which my clients have approved.

1. You will dismiss the above complaint without prejudice.
2. All statutes of limitations and other time periods will be tolled in connection with any and all claims, defenses, cross-claims and counterclaims arising from or relating to the disputes alleged from the date the complaint was filed until November 1, 2003. The tolling agreement will automatically be extended from month-to-month unless and until one or more of the parties delivers written notice to the others of his intent to cancel the agreement.

Hopefully, this standstill will provide the parties with an opportunity to resolve the dispute once and for all. Please call me so we can schedule a meeting to discuss a global resolution.

Very truly yours,



Lawrence P. Ebiner

oc-267553

David Pack v. Ambrosia Touring Band, Cancellation No. 92052230

Petitioner's Exhibits to Declaration of Petitioner David Pack

EXHIBIT 72

| | | |
|---|--------------------------------|---|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Robert W. Beck, Esq. (SBN 64885) Law Offices of Beck & Browning 3828 Carson St., Suite 100 Torrance, CA 90503 | TELEPHONE NO.: 310/316-4332 | FOR COURT USE ONLY CONFORMED COPY OF ORIGINAL FILED Los Angeles Superior Court OCT 22 2003 John A. Clarke, Executive Officer/Clerk By L. Gustafson, Deputy |
| ATTORNEY FOR (Name): Plaintiff, DAVID PACK Insert name of court and name of judicial district and branch court, if any: SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES SOUTH WEST DISTRICT | | |
| PLAINTIFF/PETITIONER: DAVID PACK DEFENDANT/RESPONDENT: BURLEIGH DRUMMOND ET. AL. | | |
| REQUEST FOR DISMISSAL <input type="checkbox"/> Personal Injury, Property Damage, or Wrongful Death <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <input type="checkbox"/> Family Law <input type="checkbox"/> Eminent Domain <input checked="" type="checkbox"/> Other (specify): Breach of Partnership | | CASE NUMBER: YC 047293 |

— A conformed copy will not be returned by the clerk unless a method of return is provided with the document. —

1. TO THE CLERK: Please dismiss this action as follows:
- a. (1) With prejudice (2) Without prejudice
- b. (1) Complaint (2) Petition
 (3) Cross-complaint filed by (name):
 (4) Cross-complaint filed by (name):
 (5) Entire action of all parties and all causes of action
 (6) Other (specify):*

on (date):
on (date):

Date: October 21, 2003

ROBERT W. BECK, ESQ.

(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)
 * If dismissal requested is of specified parties only, of specified causes of action only, or of specified cross-complaints only, so state and identify the parties, causes of action, or cross-complaints to be dismissed.



(SIGNATURE)
Attorney or party without attorney for:

- Plaintiff/Petitioner Defendant/Respondent
 Cross-complainant

2. TO THE CLERK: Consent to the above dismissal is hereby given.**
Date:

(TYPE OR PRINT NAME OF ATTORNEY PARTY WITHOUT ATTORNEY)
 ** If a cross-complaint—or Response (Family Law) seeking affirmative relief—is on file, the attorney for cross-complainant (respondent) must sign this consent if required by Code of Civil Procedure section 581(i) or (j).

(SIGNATURE)
Attorney or party without attorney for:
 Plaintiff/Petitioner Defendant/Respondent
 Cross-complainant

(To be completed by clerk)

3. Dismissal entered as requested on (date): **OCT 22 2003**
 4. Dismissal entered on (date): _____ as to only (name): _____
 5. Dismissal not entered as requested for the following reasons (specify): _____
 6. a. Attorney or party without attorney notified on (date): _____
 b. Attorney or party without attorney not notified. Filing party failed to provide
 a copy to conform means to return conformed copy

Date: **OCT 22 2003**

JOHN A. CLARKE Clerk, by **L. GUSTAFSON** Deputy

REQUEST FOR DISMISSAL

Form Adopted by the
Judicial Council of California
982(a)(5) (Rev. January 1, 1997)

Code of Civil Procedure, § 581 et seq.
Cal. Rules of Court, rules 383, 1233

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