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

Proceeding	91183227
Party	Defendant Music Makers Holdings LLC
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Date	08/04/2010
Attachments	TTAB Notice re Final Disposition of Civil Action.pdf (3 pages)(9296 bytes) Doc 35 Memorandum Opinion.pdf (19 pages)(75108 bytes) Doc 36 Order granting Motion to Dismiss.pdf (1 page)(8102 bytes)

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

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MARIA SARRO	:	
	:	Opposition No.: 91183227
Opposer,	:	
	:	
v.	:	Serial No.: 77/055,523
	:	
MUSIC MAKERS HOLDINGS, LLC	:	
	:	
Applicant.	:	
-----X	:	

**NOTICE OF FINAL DISPOSITION
OF THE CIVIL ACTION BETWEEN PARTIES**

Applicant, Music Makers Holdings, LLC, by and through its Attorneys, hereby notifies the Board that a final determination of the civil action between the parties has been entered by the United States District Court for the District of Maryland.

On September 1, 2009, the Board entered an Order suspending the above-referenced proceeding pending final disposition of the civil action between the parties pursuant to Trademark Rule 2.117(a). On July 15, 2010, the District Court issued an Order granting Defendant's Motion to Dismiss for Lack of Personal Jurisdiction. A copy of the court's final decision is attached hereto. The decision of the District Court is not dispositive of the issues involved in this opposition proceeding.

Based on the foregoing, Applicant respectfully requests that this case be called up and the discovery dates be reset as follow:

All responses to outstanding discovery requests due 30 days from the date of issuance of an Order and close of Discovery reset by 90 days from date of issuance of an Order.

Respectfully submitted,

/s/ Jeannette Maurer Carmadella

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Date: August 4, 2010

Attorneys for Music Makers Holdings, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 4, 2010, a copy of the foregoing document was deposited in the U.S. mail, first class, postage prepaid, addressed to the following counsel of record:

Stephen J. Coates
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31 West 52nd Street, 14th Floor
New York, NY 10019

By: /s/ Jeannette Maurer Carmadella

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MUSIC MAKERS HOLDINGS, LLC,

Plaintiff

v.

MARIA SARRO,

Defendant.

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Case No.: RWT 09cv1836

MEMORANDUM OPINION

Plaintiff Music Makers Holdings, LLC (“Music Makers”), a Maryland entity, Compl. ¶ 9, brought this action for injunctive and monetary damages against Defendant Maria Sarro, a citizen of New York, *id.* ¶ 10, for her alleged tortious use of the trademark “Bach to Rock.” For the reasons set forth below, the Complaint is dismissed for lack of personal jurisdiction.

BACKGROUND

Since 2004, Defendant Maria Sarro has operated a two week summer music camp in Garden City, New York, under the name “Bach to Rock.” *Id.* ¶ 40. Defendant also maintains the website bachtorock.com. *Id.* ¶ 41.

On February 6, 2007, Defendant, knowing that Music Makers planned “to open a series of rock music schools under the name ‘Bach to Rock,’” sent a letter to Plaintiff warning that “we will protect the integrity of our name and reputation with any means necessary.” Sarro Suppl. Decl. Ex. A. In the letter, Plaintiff further stated “[w]e advise you to choose a different name at this early juncture in the launch of your new business or to contact us for licensing/franchise agreement.” *Id.*

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