AO 120 (Rev. 08/10)

TO:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Southern District of New York on the following

☑ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.):

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
15-5987	7/30/2015	Southern District of New York

PLAINTIFF	DEFENDANT
Sream, Inc.	Fabulous Boutique Inc., Aria Accessory Inc. and 2nd Ave Smoke Shop Inc.

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	3,675,839	9/1/2009	Martin Birzle
2	2,307,176	1/11/2000	Martin Birzle
3	2,235,638	3/30/1999	Martin Birzle
4			
5			

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY
7/30/2015	☐ Amendment ☐ Answer ☐ Cross Bill ☑ Other Pleading

	PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1	3,675,839	9/1/2009	Martin Birzle
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3	2,235,638	3/30/1999	Martin Birzle
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT
Order of Discontinuance (dkt. no. 65) - see attached

CLERK	(BY) DEPUTY CLERK	DATE
Ruby J. Krajick	/s/ T.Noriega	6/16/2016

Copy 1—Upon initiation of action, mail this copy to Director **Copy 3—Upon termination of action, mail this copy to Director**
Copy 2—Upon filing document adding patent(s), mail this copy to Director **Copy 4—Case file copy**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: June 16, 2016

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SREAM INC., *et al.*,

Plaintiffs,

v.

2ND AVENUE SMOKE SHOP, INC.,

Defendant.

15 Civ. 5987 (KPF)

ORDER
OF DISCONTINUANCE

KATHERINE POLK FAILLA, District Judge:

On June 16, 2016, it was reported to the Court that this case has been settled. Accordingly, it is hereby:

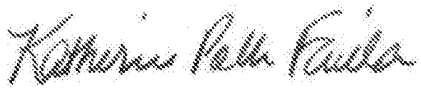
ORDERED that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Settlement and Dismissal for the Court to So Order. Otherwise, within such time Plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event that the settlement is not consummated. Upon such application for reinstatement, the parties shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket, and the parties shall be directed to appear before the Court, without the necessity of additional process, on a date within ten (10) days of the application, to schedule remaining pretrial

proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event that Plaintiff has not requested restoration of the case to the active calendar within such 30-day period.

The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

SO ORDERED.

Dated: June 16, 2016
New York, New York



KATHERINE POLK FAILLA
United States District Judge