

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79151290
LAW OFFICE ASSIGNED	LAW OFFICE 113
MARK SECTION	
MARK FILE NAME	http://tmng-al.uspto.gov/resting2/api/img/79151290/large
STANDARD CHARACTERS	NO
USPTO-GENERATED IMAGE	NO
ARGUMENT(S)	
<p>In the final office action mailed on April 2, 2015, the Examining Attorney stated that (a) the Applicant satisfied all the requirements in the previous Office Action (e.g. identification requirement and mark description and color claim requirement), but (b) the likelihood of confusion refusal due to the goods listed in International Class 12 of cited U.S. Registration No. 3906107 continued under Trademark Act §2(d), 15 U.S.C. §1052(d) and made final.</p> <p>The Applicant filed a Petition to Cancel the entire International Class 12 of cited U.S. Registration No. 3906107 on September 4, 2015 and the said Cancellation No. 92062196 is pending. Accordingly, the Applicant requests suspension of this application pending the outcome of Cancellation No. 92062196. Please see enclosed the copies of the Petition to Cancel and the summary excerpt of the said cancellation from the Trademark Trial and Appeal Board Inquiry System (TTABVUE).</p> <p>The Applicant, simultaneously with this Request for Reconsideration, files a Notice of Appeal seeking suspension of the appeal proceeding pending the outcome of the Request for Reconsideration.</p>	
EVIDENCE SECTION	
EVIDENCE FILE NAME(S)	
ORIGINAL PDF FILE	evi_2410440161-20150909171931695769_.00875796.PDF
CONVERTED PDF FILE(S) (22 pages)	\\TICRS\EXPORT16\IMAGEOUT16\791\512\79151290\xml12\RFR0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\791\512\79151290\xml12\RFR0003.JPG

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ORIGINAL PDF FILE	evi_2410440161-20150909171931695769_.00876040.PDF
CONVERTED PDF FILE(S) (1 page)	\\TICRS\EXPORT16\IMAGEOUT16\791\512\79151290\xml12\RFR0024.JPG
DESCRIPTION OF EVIDENCE FILE	electronic copy of Petition to Cancel U.S. Registration No. 3906107 and TTABVUE summary printout for Cancellation No. 92062196
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Aylin Demirci/
SIGNATORY'S NAME	Aylin Demirci
SIGNATORY'S POSITION	Attorney of Record, California Bar Member

SIGNATORY'S PHONE NUMBER	(650) 812-3400
DATE SIGNED	09/09/2015
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Wed Sep 09 18:50:14 EDT 2015
TEAS STAMP	USPTO/RFR-24.104.40.161-2 0150909185014242729-79151 290-5404cd681d4697dacebd6 501de519b5c25afec4d6a8d85 afb74d6ee7c4bbc79d38-N/A- N/A-20150909184411148288

PTO Form 1960 (Rev 9/2007)
OMB No. 0651-0050 (Exp. 07/31/2017)

Request for Reconsideration after Final Action To the Commissioner for Trademarks:

Application serial no. **79151290** (Stylized and/or with Design, see <http://tmng-al.uspto.gov/resting2/api/img/79151290/large>) has been amended as follows:

ARGUMENT(S)

In response to the substantive refusal(s), please note the following:

In the final office action mailed on April 2, 2015, the Examining Attorney stated that (a) the Applicant satisfied all the requirements in the previous Office Action (e.g. identification requirement and mark description and color claim requirement), but (b) the likelihood of confusion refusal due to the goods listed in International Class 12 of cited U.S. Registration No. 3906107 continued under Trademark Act §2(d), 15 U.S.C. §1052(d) and made final.

The Applicant filed a Petition to Cancel the entire International Class 12 of cited U.S. Registration No. 3906107 on September 4, 2015 and the said Cancellation No. 92062196 is pending. Accordingly, the Applicant requests suspension of this application pending the outcome of Cancellation No. 92062196. Please see enclosed the copies of the Petition to Cancel and the summary excerpt of the said cancellation from the Trademark Trial and Appeal Board Inquiry System (TTABVUE).

The Applicant, simultaneously with this Request for Reconsideration, files a Notice of Appeal seeking suspension of the appeal proceeding pending the outcome of the Request for Reconsideration.

EVIDENCE

Evidence in the nature of electronic copy of Petition to Cancel U.S. Registration No. 3906107 and TTABVUE summary printout for Cancellation No. 92062196 has been attached.

Original PDF file:

[evi_2410440161-20150909171931695769_.00875796.PDF](#)

Converted PDF file(s) (22 pages)

[Evidence-1](#)

[Evidence-2](#)

[Evidence-3](#)

[Evidence-4](#)

[Evidence-5](#)

[Evidence-6](#)

[Evidence-7](#)

[Evidence-8](#)

[Evidence-9](#)

[Evidence-10](#)

[Evidence-11](#)

[Evidence-12](#)

[Evidence-13](#)

[Evidence-14](#)

[Evidence-15](#)

[Evidence-16](#)

[Evidence-17](#)

[Evidence-18](#)

[Evidence-19](#)

[Evidence-20](#)

[Evidence-21](#)

[Evidence-22](#)

Original PDF file:

[evi_2410440161-20150909171931695769_.00876040.PDF](#)

Converted PDF file(s) (1 page)

[Evidence-1](#)

SIGNATURE(S)

Request for Reconsideration Signature

Signature: /Aylin Demirci/ Date: 09/09/2015

Signatory's Name: Aylin Demirci

Signatory's Position: Attorney of Record, California Bar Member

Signatory's Phone Number: (650) 812-3400

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder

in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79151290

Internet Transmission Date: Wed Sep 09 18:50:14 EDT 2015

TEAS Stamp: USPTO/RFR-24.104.40.161-2015090918501424

2729-79151290-5404cd681d4697dacebd6501de

519b5c25afec4d6a8d85afb74d6ee7c4bbc79d38

-N/A-N/A-20150909184411148288

Pamela Libed

From: estta-server@uspto.gov
Sent: Friday, September 04, 2015 12:48 PM
To: ptoaxd@carrferrell.com
Subject: ESTTA. Petition for Cancellation. confirmation receipt ID: ESTTA693935

Petition for Cancellation.

Tracking No: ESTTA693935

ELECTRONIC SYSTEM FOR TRADEMARK TRIALS AND APPEALS Filing Receipt

We have received your Petition for Cancellation. submitted through the Trademark Trial and Appeal Board's ESTTA electronic filing system. This is the only receipt which will be sent for this paper. If the Board later determines that your submission is inappropriate and should not have been accepted through ESTTA, you will receive notification and appropriate action will be taken.

Please note:

Unless your submission fails to meet the minimum legal requirements for filing, the Board will not cancel the filing or refund any fee paid.

If you have a technical question, comment or concern about your ESTTA submission, call 571-272-8500 during business hours or e-mail at estta@uspto.gov.

The status of any Board proceeding may be checked using TTABVUE which is available at <http://ttabvue.uspto.gov> Complete information on Board proceedings is not available through the TESS or TARR databases. Please allow a minimum of 2 business days for TTABVUE to be updated with information on your submission.

The Board will consider and take appropriate action on your filing in due course.

Printable version of your request is attached to this e-mail

ESTTA server at <http://estta.uspto.gov>

ESTTA Tracking number: ESTTA693935
Filing date: 09/04/2015

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

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name: SIRENA MARINE DENIZCILIK SANAYI VE TICARET ANONIM SIRKETI
Entity:
Citizenship: TURKEY
Address: Celtikci Koyu Hanyeri Mevkii Orhangazi Bursa, TURKEY

Attorney information:
Aylin Demirci
Carr & Ferrell LLP
120 Constitution Drive
Menlo Park, CA 94025
UNITED STATES
ptoaxd@carrferrell.com Phone:(650) 812-3400

Registration Subject to Cancellation
Registration No: 3906107
Registration Date: 01/18/2011
Registrant:
Axon Automotive Limited
Cranfield University
Cranfield, MK430AL
UNITED KINGDOM

Goods/Services Subject for Cancellation
Class 012. First Use: 0 First Use In Commerce: 0
All goods and services in the class are cancelled, namely: Land vehicle body parts, namely, monocoque components, doors, wing panels, trunk lids, roof panels and structural fittings therefor; hoods for vehicle engines;chassis; motorized land vehicles; apparatus for locomotion by land, air or water, namely, automobiles, trucks, busses, aero planes, boats; cars; dining cars; doors for vehicles; motor cycles; perambulators; baby strollers; baby push chairs; wheelchairs; motorized golf carts; lifting cars; ski lifts; lorries; motor coaches; motor homes; goods handling carts;sleighs; snowmobiles; suspension springs for motor vehicles, torsion bars for vehicles; yachts; boats

Grounds for Cancellation:

Abandonment
Trademark Act section 14

Void Ab Initio for lacking bona fide intent to use the mark in interstate commerce in connection with any of the goods listed in International Class 12 of the registration at the filing date and the filing of the declaration of intent to use

Attachments:
00870753.PDF

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by Overnight Courier on this date.

Aylin Demirci
/Aylin Demirci/
09/04/2015



United States Patent and Trademark Office

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Electronic System for Trademark Trials and Appeals

Receipt

Your submission has been received by the USPTO.
The content of your submission is listed below.
You may print a copy of this receipt for your records.

ESTTA Tracking number: **ESTTA693935**
Filing date: **09/04/2015**

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

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	SIRENA MARINE DENIZCILIK SANAYI VE TICARET ANONIM SIRKETI		
Entity	Joint Stock Company	Citizenship	TURKEY
Address	Celtikci Koyu Hanyeri Mevkii Orhangazi Bursa, TURKEY		

Attorney information	Aylin Demirci Carr & Ferrell LLP 120 Constitution Drive Menlo Park, CA 94025 UNITED STATES ptoaxd@carrferrell.com Phone:(650) 812-3400
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Registration Subject to Cancellation

Registration No	3906107	Registration date	01/18/2011
International Registration	NONE	International Registration	NONE

No.	Date
Registrant	Axon Automotive Limited Cranfield University Cranfield, MK430AL UNITED KINGDOM
Goods/Services Subject to Cancellation	
<p>Class 012. First Use: 0 First Use In Commerce: 0 All goods and services in the class are cancelled, namely: Land vehicle body parts, namely, monocoque components, doors, wing panels, trunk lids, roof panels and structural fittings therefor; hoods for vehicle engines;chassis; motorized land vehicles; apparatus for locomotion by land, air or water, namely, automobiles, trucks, busses, aero planes, boats; cars; dining cars; doors for vehicles; motor cycles; perambulators; baby strollers; baby push chairs; wheelchairs; motorized golf carts; lifting cars; ski lifts; lorries; motor coaches; motor homes; goods handling carts;sleighs; snowmobiles; suspension springs for motor vehicles, torsion bars for vehicles; yachts; boats</p>	
Grounds for Cancellation	
Abandonment	Trademark Act section 14
Other	Void Ab Initio for lacking bona fide intent to use the mark in interstate commerce in connection with any of the goods listed in International Class 12 of the registration at the filing date and the filing of the declaration of intent to use
Attachments	00870753.PDF(109257 bytes)
Certificate of Service	
<p>The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Overnight Courier on this date.</p>	
Signature	/Aylin Demirci/
Name	Aylin Demirci
Date	09/04/2015

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

In the Matter of
Registration No. 3,906,107
Registered: January 18, 2011
Mark: AXON (& Design)
International Class: 12

)	
SIRENA MARINE DENIZCILIK)	
SANAYI VE TICARET ANONIM)	
SIRKETI,)	
Petitioner,)	
v.)	Cancellation No. _____
)	
Axon Automotive Limited,)	
)	
Registrant.)	
)	

Trademark Trial and Appeal Board
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

PETITION FOR CANCELLATION

Petitioner, SIRENA MARINE DENIZCILIK SANAYI VE TICARET ANONIM SIRKETI ("Petitioner"), a Turkish joint stock company having its principal place of business at Çeltikçi Köyü Hanyeri Mevkii, Orhangazi Bursa, Turkey, believes that it is and will continue to be damaged by Registration No. 3,906,107 (the "Registration") in International Class 12, and hereby petitions to cancel International

Class 12 only under the provision of 15 U.S.C. §1064(3). As grounds for cancellation, Petitioner alleges that:

1. Petitioner is the owner of United States Trademark Application No. 79/151,290 (the "Application") for the mark A (& Design), in connection with "vehicles for locomotion by water and their structural parts, other than their motors and engines, namely boats, yacht, sail boats, and motor boats" in International Class 12. The filing date of the Application is December 30, 2013. The print-out of the Trademark Status & Document Retrieval ("TSDR") Status Page from the United States Patent and Trademark Office ("USPTO") online database for the said Application is attached hereto as Exhibit 1.

2. On information and belief, the current owner of the Registration is Axon Automotive Limited ("Registrant"), a United Kingdom Corporation.

3. Pursuant to USPTO's online database for the said Registration, the principle place of business of Registrant is Cranfield University, CUBIC Business Centre, Cranfield MK430AL, UNITED KINGDOM.

4. On information and belief, the actual principle place of business of Registrant is Units 5 & 6 Raymond Close, Wollaston Industrial Estate, Wollaston, Wellingborough, Northamptonshire NN29 7RG, United Kingdom.

5. Pursuant to the TSDR records, on September 24, 2007, Registrant filed Application Serial No. 77/287,108 for the mark AXON (& Design) (the "Mark") in International Class 12 for "Land vehicle body parts, namely, monocoque components, doors, wing panels, trunk lids, roof panels and structural fittings therefor; hoods for vehicle engines; chassis; motorized land vehicles; apparatus for locomotion by land, air or water, namely, automobiles, trucks, busses, aero planes, boats; cars; dining cars; doors for vehicles; motor cycles; perambulators; baby strollers; baby push chairs; wheelchairs; motorized golf carts; lifting cars; ski lifts; lorries; motor coaches; motor homes; goods handling carts; sleighs; snowmobiles; suspension springs for motor

vehicles, torsion bars for vehicles; yachts; boats” based on Section 44(d) of the Lanham Act, under the Registrant’s Community Trademark application in the European Union (CTM Application No. 005784715). Said application registered for the aforementioned goods under the Registration on January 18, 2011 based on Section 44(e) of the Lanham Act under the Registrant’s Community Trademark registration in the European Union (CTM Registration No. 005784715). The print-out of the TSDR Status Page from the USPTO online database for the said registration is attached hereto as Exhibit 2.

6. Petitioner has standing and is damaged by the existence of the Registration because Applicant’s Application has been refused on the grounds that it is likely to cause confusion with the Registration under Section 2(d) of the Lanham Act. Said refusal was made “final” and was issued by the USPTO effective April 2, 2015. Continued registration of the Mark in International Class 12 creates statutory rights in Registrant in violation and derogation of the rights of Petitioner, resulting in harm, detriment, and damage to Petitioner.

7. Prior to initiating this proceeding, the Petitioner conducted an investigation directed to Registrant’s use of the Mark in the United States, including, inter alia, a review of Registrant’s website at axonautomotive.com.

8. Petitioner was unable to locate any evidence that Registrant’s Mark was currently being used or had ever been used in United States commerce in connection with the goods listed in International Class 12 claimed in the Registration.

CLAIM ONE: ABANDONMENT

9. Petitioner hereby incorporates by reference the preceding paragraphs as if they were fully set forth herein.

10. On information and belief, Registrant has either never used the Mark in commerce in connection with any of the goods listed in International Class 12 in the Registration or, to the extent the Mark was ever used, has discontinued use of the Mark

in United States commerce with no intent to resume such use, thus abandoning the Mark and rendering International Class 12 in the Registration subject to cancellation.

11. On information and belief, Registrant has not made bona fide use of the Mark in the ordinary course of trade in connection with goods described in the Registration for at least three consecutive years, thus abandoning the Mark and rendering International Class 12 in the Registration subject to cancellation.

CLAIM TWO: VOID AB INITIO FOR LACK OF INTENT-TO-USE

12. Petitioner hereby incorporates by reference the preceding paragraphs as if they were fully set forth herein.

13. On information and belief, at the filing date of the application to register the Registration with priority based on its Community Trademark application in European Union, Registrant filed a declaration under the penalty of perjury stating that it has a bona fide intention to use the Mark for all the goods, including the goods in International Class 12, listed in the application under Section 44(d) of the Lanham Act. Accordingly, based on that bona fide intent-to-use declaration made by Registrant, the Registration was issued under Section 44(e) of the Lanham Act, including in International Class 12, upon Registrant's submission of the copy of the respective Certificate of Registration of the Community Trademark registration (CTM Registration No. 005784715).

14. On information and belief, at the time of filing the application and bona fide intent to use declaration that resulted in issuance of Registration, Registrant was not using the Mark in interstate commerce for any goods described in International Class 12 and did not have a *bona fide* intention to use the Mark in interstate commerce in connection with any of the goods listed in International Class 12, namely: "*Land vehicle body parts, namely, monocoque components, doors, wing panels, trunk lids, roof panels and structural fittings therefor; hoods for vehicle engines; chassis; motorized land vehicles; apparatus for locomotion by land, air or water, namely, automobiles, trucks, busses, aero planes, boats; cars;*

dining cars; doors for vehicles; motor cycles; perambulators; baby strollers; baby push chairs; wheelchairs; motorized golf carts; lifting cars; ski lifts; lorries; motor coaches; motor homes; goods handling carts; sleighs; snowmobiles; suspension springs for motor vehicles, torsion bars for vehicles; yachts; boats". Thus, the Registration is void ab inito for all the goods described in International Class 12 of the Registration.

WHEREFORE, Petitioner prays that this Petition for Cancellation be sustained in favor of Petitioner, and Registration No. 3,906,107 be canceled in whole or in applicable part.

The required fee under 37 C.F.R. §2.6(a)(16) of \$300.00 is being submitted with this electronic filing. Should any additional fees be required, please charge such necessary fees to our Deposit Account No. 50-3937.

Respectfully submitted,

Date: September 4, 2015

/Aylin Demirci/
ATTORNEYS FOR PETITIONER
Aylin Demirci, Esq.
Jefferson Scher, Esq.
CARR & FERRELL LLP
120 Constitution Drive
Menlo Park, California 94025
Phone: (650) 812-3400
Fax: (650) 812-3444

CERTIFICATE OF TRANSMITTAL

I hereby certify that a true copy of the foregoing PETITION FOR CANCELLATION is being filed electronically with the TTAB via ESTTA on this day, September 4, 2015.

/Aylin Demirci/
Aylin Demirci

PROOF OF SERVICE

I declare that:

I am employed in the County of San Mateo, California.

I am over the age of eighteen years and not a party to the within cause; my business address is Carr & Ferrell LLP, 120 Constitution Drive, Menlo Park, California 94025. On the date below, I caused to be served the attached PETITION FOR CANCELLATION on the interested parties in the subject action by placing a true copy thereof as indicated below, address by Federal Express:

Axon Automotive Limited
Cranfield University
CUBIC Business Centre
Cranfield MK430AL
United Kingdom

Axon Automotive Limited
Units 5 & 6 Raymond Close
Wollaston Industrial Estate
Wollaston, Wellingborough
Northamptonshire NN29 7RG
United Kingdom

William M. Lee, Jr.
Barnes & Thornburg LLP
P.O. Box 2786
Chicago, Illinois 60690-2786
United States

I caused such envelope(s) to be delivered to Federal Express for overnight courier service to the office(s) of the addressee(s).

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed at Menlo Park, California, this 4th day of September 2015.

/Aylin Demirci/
Aylin Demirci

EXHIBIT 1

STATUS
DOCUMENTS
[Back to Search](#)
 Print

Generated on: This page was generated by TSDR on 2015-09-04 13:43:46 EDT

Mark:



US Serial Number: 79151290 **Application Filing Date:** Dec. 30, 2013

Register: Principal

Mark Type: Trademark

Status: A final Office action refusing registration has been sent (issued) because the applicant neither satisfied nor overcame all requirements and/or refusals previously raised. The applicant may respond by filing (1) a request for reconsideration; and/or (2) an appeal to the Trademark Trial and Appeal Board. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Apr. 02, 2015

Mark Information [Collapse All](#)

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a blue zigzag design element, with a horizontal line beginning at the left hand side of the design turning into a peak and then extending into a horizontal line at the right hand side of the design.

Color Drawing: Yes

Color(s) Claimed: The color(s) blue is/are claimed as a feature of the mark.

Design Search Code(s):
 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
 26.17.05 - Bands, horizontal; Lines, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s)
 26.17.10 - Lines, zig-zag; Zig-zag line(s)

Related Properties Information

International Registration Number: [1214241](#)

International Registration Date: Dec. 30, 2013

Goods and Services

Note:
 The following symbols indicate that the registrant/owner has amended the goods/services:
 • Brackets [...] indicate deleted goods/services;
 • Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
 • Asterisks *..* identify additional (new) wording in the goods/services.

For: vehicles for locomotion by water and their structural parts, other than their motors and engines, namely boats, yacht, sail boats, and motor boats

International Class(es): 012 - Primary Class **U.S Class(es):** 019, 021, 023, 031, 035, 044

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: Yes	Currently 66A: Yes	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: SIRENA MARINE DENIZCILIK SANAYI VE TICARET ANONIM SIRKETI

Owner Address: Çeltikçi Köyü Hanyeri Mevkii Orhangazi Bursa TURKEY		State or Country Where Organized: TURKEY	
Legal Entity Type: Joint Stock Company			

Attorney/Correspondence Information

Attorney of Record		Docket Number: T-3655 US MP	
Attorney Name: Aylin Demirci		Attorney Email Authorized: Yes	
Attorney Primary Email Address: ptoaxd@carrferrell.com			

Correspondent

Correspondent Name/Address: Aylin Demirci Carr & Ferrell LLP 120 Constitution Drive Menlo Park, CALIFORNIA 94025 UNITED STATES		Phone: (650) 812-3400	
Correspondent e-mail: ptoaxd@carrferrell.com ademirci@carrferrell.com		Fax: (650) 812-3444	
		Correspondent e-mail Authorized: Yes	

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 02, 2015	NOTIFICATION OF FINAL REFUSAL EMAILED	
Apr. 02, 2015	FINAL REFUSAL E-MAILED	
Apr. 02, 2015	FINAL REFUSAL WRITTEN	90287
Mar. 30, 2015	LIMITATION FROM THE IB EXAMINED, NO ACTION IS NEEDED	78826
Mar. 27, 2015	LIMITATION OF GOODS RECEIVED FROM IB	
Mar. 11, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Mar. 09, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Mar. 09, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 05, 2014	ATTORNEY REVOKED AND/OR APPOINTED	
Dec. 05, 2014	TEAS REVOKE/APPOINT ATTORNEY RECEIVED	
Sep. 25, 2014	REFUSAL PROCESSED BY IB	
Sep. 09, 2014	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Sep. 09, 2014	REFUSAL PROCESSED BY MPU	78826
Sep. 09, 2014	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Sep. 08, 2014	NON-FINAL ACTION WRITTEN	90287
Sep. 02, 2014	APPLICATION FILING RECEIPT MAILED	
Aug. 29, 2014	ASSIGNED TO EXAMINER	90287
Aug. 29, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 28, 2014	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1214241	International Registration Date: Dec. 30, 2013
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status: Aug. 28, 2014
Notification of Designation Date: Aug. 29, 2014	Date of Automatic Protection: Feb. 28, 2016
International Registration Renewal Date: Dec. 30, 2023	

First Refusal Flag: Yes	
TM Staff and Location Information	
TM Staff Information	
TM Attorney: DESAI, BRIN ANDERSON	Law Office Assigned: LAW OFFICE 113
File Location	
Current Location: TMO LAW OFFICE 113 - EXAMINING ATTORNEY ASSIGNED	Date in Location: Apr. 02, 2015
Assignment Abstract Of Title Information - None recorded	
Proceedings - Click to Load	

EXHIBIT 2

STATUS DOCUMENTS [Back to Search](#) Print

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Mark: AXON



US Serial Number: 77287108 Application Filing Date: Sep. 24, 2007
 US Registration Number: 3906107 Registration Date: Jan. 18, 2011
 Register: Principal
 Mark Type: Trademark, Service Mark
 Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
 Status Date: Jan. 18, 2011
 Publication Date: Nov. 02, 2010

▼ Mark Information ▲ Collapse All

Mark Literal Elements: AXON
 Standard Character Claim: No
 Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)
 Description of Mark: The mark consists of circle having stylized "A" within grey, depending therefrom is a silver device with rectangular lower edge comprising the word "AXON" wherein the "X" of "AXON" is stylized having a blue insert.
 Color Drawing: Yes
 Color(s) Claimed: The color(s) grey, silver and blue is/are claimed as a feature of the mark.
 Design Search Code(s): 26.01.02 - Circles, plain single line; Plain single line circles
 26.17.10 - Lines, zig-zag; Zig-zag line(s)

▼ Foreign Information

Priority Claimed: Yes
 Foreign Application Number: 005784715 Foreign Application Filing Date: Mar. 23, 2007
 Foreign Registration Number: 005784715 Foreign Registration Date: Dec. 10, 2009
 Foreign Application/Registration Country: EUROPEAN (EU) OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET (OHIM) Foreign Expiration Date: Mar. 23, 2017

▼ Goods and Services

Note:
 The following symbols indicate that the registrant/owner has amended the goods/services:
 • Brackets [.] indicate deleted goods/services;
 • Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
 • Asterisks *,* identify additional (new) wording in the goods/services.

For: Land vehicle body parts, namely, monocoque components, doors, wing panels, trunk lids, roof panels and structural fittings therefor; hoods for vehicle engines; chassis; motorized land vehicles; apparatus for locomotion by land, air or water, namely, automobiles, trucks, busses, aero planes, boats, cars, dining cars, doors for vehicles; motor cycles; perambulators; baby strollers; baby push chairs; wheelchairs; motorized golf carts; lifting cars; ski lifts; lorries; motor coaches; motor homes; goods handling carts; sleighs; snowmobiles; suspension springs for motor vehicles, torsion bars for vehicles; yachts; boats

International Class(es): 012 - Primary Class U.S Class(es): 019, 021, 023, 031, 035, 044
 Class Status: ACTIVE
 Basis: 44(e)

For: Non-metal building materials, namely, wall panels and wall panel aperture frames; non-metallic transportable buildings; monuments, not of metal; non-metallic framed conservatories, doors and windows; moldings, not of metal, for building; beams, not of metal; building frameworks not of

metal; fiber-reinforced resin products for construction purposes, namely, beams, panels and structural elements for buildings, canopies, sheds, green houses, portable buildings including doors, window frames, windows and glazing bars, roof trusses and lintels, floor beams and flooring systems, ceiling systems; building panels, not of metal; buildings, transportable, not of metal; cladding, not of metal, for building; diving boards, not of metal; window frames, not of metal; door frames, not of metal; door panels, not of metal; roofing, not of metal

International Class(es): 019 - Primary Class

U.S Class(es): 001, 012, 033, 050

Class Status: ACTIVE

Basis: 44(e)

For: Scientific and technological services and research and design relating thereto; industrial analysis and research services; Industrial design for others; mechanical research; material testing; construction drafting; technical project studies, namely, design and analysis of components through fatigue testing, strength testing and longevity testing; consulting in the fields of architecture and packaging design; research and development for others; vehicle road worthiness testing; technical research; vehicular research and development

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 44(e)

▼ Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: Yes

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: Yes

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: Axon Automotive Limited

Owner Address: Cranfield University
CUBIC Business Centre
Cranfield MK430AL
UNITED KINGDOM

Legal Entity Type: CORPORATION

State or Country Where Organized: UNITED KINGDOM

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: William M. Lee, Jr.

Docket Number: 42527-106366

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Attorney Email Authorized: No

Correspondent

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Correspondent e-mail: wlee@btlaw.com

Correspondent e-mail Authorized: No

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Jan. 18, 2011	REGISTERED-PRINCIPAL REGISTER	
Nov. 02, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Nov. 02, 2010	PUBLISHED FOR OPPOSITION	

Sep. 27, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Sep. 27, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 10, 2010	EXAMINER'S AMENDMENT ENTERED	70884
Sep. 09, 2010	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 09, 2010	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 09, 2010	EXAMINERS AMENDMENT -WRITTEN	78305
Aug. 16, 2010	AMENDMENT FROM APPLICANT ENTERED	70884
Aug. 16, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Aug. 13, 2010	PAPER RECEIVED	
May 28, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 28, 2010	NON-FINAL ACTION E-MAILED	6325
May 28, 2010	NON-FINAL ACTION WRITTEN	78305
May 03, 2010	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Apr. 09, 2010	WITHDRAWN FROM PUB - OG REVIEW QUERY	60756
Mar. 30, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	70884
Mar. 30, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 10, 2010	AMENDMENT FROM APPLICANT ENTERED	70884
Mar. 10, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Mar. 09, 2010	ASSIGNED TO LIE	70884
Mar. 06, 2010	PAPER RECEIVED	
Sep. 28, 2009	NOTIFICATION OF INQUIRY AS TO SUSPENSION E-MAILED	
Sep. 28, 2009	INQUIRY TO SUSPENSION E-MAILED	
Sep. 28, 2009	SUSPENSION INQUIRY WRITTEN	78305
Sep. 25, 2009	LIE CHECKED SUSP - TO ATTY FOR ACTION	78288
Sep. 24, 2009	ASSIGNED TO LIE	78288
Mar. 24, 2009	NOTIFICATION OF LETTER OF SUSPENSION E-MAILED	6332
Mar. 24, 2009	LETTER OF SUSPENSION E-MAILED	6332
Mar. 24, 2009	SUSPENSION LETTER WRITTEN	78305
Mar. 10, 2009	AMENDMENT FROM APPLICANT ENTERED	78145
Mar. 10, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Mar. 09, 2009	PAPER RECEIVED	
Sep. 05, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Sep. 05, 2008	NON-FINAL ACTION E-MAILED	6325
Sep. 05, 2008	NON-FINAL ACTION WRITTEN	78305
Sep. 03, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Sep. 02, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 23, 2008	AMENDMENT FROM APPLICANT ENTERED	78145
Jul. 23, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	78145
Jul. 23, 2008	ASSIGNED TO LIE	78145
Jul. 22, 2008	PAPER RECEIVED	
Feb. 07, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 07, 2008	NON-FINAL ACTION E-MAILED	6325
Feb. 07, 2008	NON-FINAL ACTION WRITTEN	78305
Feb. 05, 2008	PREVIOUS ALLOWANCE COUNT WITHDRAWN	
Feb. 04, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 27, 2007	ASSIGNED TO EXAMINER	78305
Sep. 28, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 27, 2007	NEW APPLICATION ENTERED IN TRAM	

▼ **TM Staff and Location Information**

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 18, 2011

^ Assignment Abstract Of Title Information - None recorded

^ Proceedings - Click to Load



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Cancellation

Number: 92062196

Filing Date: 09/04/2015

Status: Pending

Status Date: 09/04/2015

General Contact Number: 571-272-8500

Interlocutory Attorney: [CHRISTEN M ENGLISH](#)

Paralegal Name: [MILLCENT CANADY](#)

Defendant

Name: [Axon Automotive Limited](#)

Correspondence:

AXON AUTOMOTIVE LIMITED
CRANFIELD UNIVERSITY, CUBIC BUSINESS
CENTRE
CRANFIELD, MK430AL
UNITED KINGDOM

Serial #: [77287108](#) [Application File](#) [Assignment](#) **Registration** [3906107](#)
#:

Application Status: Cancellation Pending

Mark: AXON

Plaintiff

Name: [Sirena Marine Denizcilik Sanayi Ve Ticaret Anonim Sirketi](#)

Correspondence: [AYLIN DEMIRCI](#)

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MENLO PARK, CA 94025
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Phone: 650-812-3400

Prosecution History

#	Date	History Text	Due Date
3	09/08/2015	PENDING, INSTITUTED	
2	09/08/2015	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	10/18/2015
1	09/04/2015	FILED AND FEE	

Results as of 09/08/2015 02:05 PM

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