

TTAB



**NOTICE OF NON-CONSENT TO CONTRACT OFFER
OF "NOTICE OF ABANDONMENT" MAILING DATE 09/01/15,
VOID, UNLAWFUL AND WITHOUT EFFECT**

Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent
Delivered by Certified Mail

November 20, 2015

From:

Bio Corp's Authorized Representative Marshall-Edward: Mikels,
BIO CORP, A CORPORATION ORGANIZED AND EX
3053 WEST CRAIG ROAD, SUITE E-124
NORTH LAS VEGAS, NV 89032

Delivered by respond to
Stacey L Mack [Notary Public]
205 Mount Shasta Blvd.,
Suite 400,
Mount Shasta CA 96067

To Addressee(s)/Respondent(s)/Debtor:

DEBORAH COHN, in Official capacity and Deborah Cohn in individual capacity
Commissioner of Trademarks United States
and assigned Director
Patent and Trademark Office
600 Dulany Street
Alexandria, VA 22314,
Delivered by Certified Mail 7015 0640 0006 7319 5969

To Addressee(s)/Respondent(s)

**USPTO Appeal Board, All Officers/Judges/Commissioners/Employees
In Official Capacity and in Individual Capacity
C/O Dawnmarie D. Sanok Attorney Advisor and
Denise M. DelGizzi Technical Program Manager
Eric McWilliams Supervisory Paralegal**
Office of the Deputy Commissioner
for Trademark Examination Policy
dawn-marie **To Addressee(s)/Respondent(s)/anok@uspto.gov**
571-272-9577 (O)
Delivered by Certified Mail 7015 0640 0006 7319 5952

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE
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7015 0640 0006 7319 5952



11-23-2015

To Addressee(s)/Respondent(s)/Debtor:
TOBY ELLEN BULLOFF, Esquire, in Official capacity and
Toby Ellen Bulloff in individual capacity
Examining Attorney for the United States
Patent and trademark Office
Law Office 119, 600 Dulany Street
Alexandria, VA 22314
(571) 270-1531
toby.bulloff@uspto.gov
Delivered by First Class Mail

OPPOSING PARTY

To Addressee(s)/Respondent(s)/Debtor:
Mir Innovations, Inc. CORPORATION TEXAS
GREG CLARK Executive Officer, official capacity
And, Greg Clark, individual capacity
534 CONTINENTAL DRIVE, LEWISVILLE TX 75067,
And, Greg Clark CEO Alpha Men's Edge Nutrition, Inc.
2701 Little Elm Pkwy Ste 100 #527 Little Elm, TX 75068 and 534 CONTINENTAL
DRIVE. LEWISVILLE TX 75067, **Delivered by First Class Mail**

Re: USPTO “NOTICE OF ABANDONMENT MAILED ON SEPTEMBER 1, 2015” IS RETURNED VOIDED BY NON-CONSENT TO CONTRACT OFFER, VOID, UNLAWFUL AND WITHOUT EFFECT, IN REF: Serial No, 85819575, Mark: MISCELLANEOUS DESIGN Owner: Bio Corp and Marshall-Edward: Mikels

Re: August 27, 2015 NOTICE OF ISSUANCE OF JUDGMENT/MANDATE AND AFFIDAVIT OF NON-CONSENT VOIDING CONTRACT OFFER OF THE UNITED STATES PATENT AND TRADEMARK OFFICE “LETTER BY ERIC MC WILLIAMS DATED AUGUST 24, 2015” REF: DISMISSAL NOTICE MAILED JUNE 17, 2015 UNSIGNED AND UN-NAMED U.S.P.T.O.’S FAILURE TO RESPOND AND DEFAULT TO FINAL APPEAL MANDATE AND SECURITY AGREEMENT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered September 1, 2015 by Certified Mail 7015 0640 0006 7342 3390 & 7015 0640 0006 7342 3406

Re: Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575, Contract Offer Letter from Denise M. DelGizzi dated April 6, 2015, referring to “Applicant’s communication” filed March

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF “NOTICE OF ABANDONMENT” MAILING DATE 09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 & 7015 0640 0006 7319 5952

23, 2015, which was in fact a "NOTICE OF AND APPEAL BY AFFIDAVIT OF MARSHALL-EDWARD: MIKELS, AND SUPPLEMENT TO APPEAL DELIVERED 10/03/14 FILED ON 10/04/14" the subject "APPEAL BY AFFIDAVIT & SUPPLEMENT" was executed on 03-17-2015 and delivered to the USPTO on 03/19/2015 by UPS 1Z6F90640152746087 THEREFORE FILED BY DELIVERY 03/19/2015

- Re: Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575, NOTICE: LETTER OFFICE ACTION BY: TOBY E. BULLOFF DATED 01-16-2015. REQUEST FOR RECONSIDERATION DENIED, previously REMANDED TO APPEAL: C/O Dawnmarie D. Sanok DATED 11/21/2014**
- Re: Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575, NOTICE: APPLICATION ABANDONED BY: Toby E. Bulloff DATED 11-21-2014. AND, PETITION TO DIRECTOR, DISMISSED, and REMANDED TO APPEAL BY: Dawnmarie D. Sanok DATED 11/21/2014**
- Re: NOTICE OF NON-CONSENT TO "NOTICE: APPLICATION ABANDONED" VOIDING AND WITHOUT EFFECT "PETITION TO DIRECTOR DISMISSED" dated 11/21/2014**

AFFIDAVIT

"Indeed, no more than affidavits are necessary to make the prima facie case." United States v. Kis, 658 F.2d, 526, 536 (7th Cir. 1981); Cert. Denied, 50 U.S. L. W. 2169; S. Ct. March 22, 1982

1. TO ALL CONCERNED the undersigned Affiant, Marshall-Edward: Mikels, does solemnly swear, declare and state as follows:
2. Affiant is competent to state the matters set forth herein.
3. Affiant has personal knowledge of the facts stated herein.
4. Those matters not within the personal knowledge of Affiant or law are based upon information, belief and public record.

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5. All the facts herein are true, correct and complete, admissible as evidence and if called upon as a witness, Affiant will testify to their veracity.
6. The Respondent(s)/Debtor(s) agree with Marshall-Edward: Mikels' aforementioned claims and the following.
7. I Marshall-Edward: Mikels have indefeasible title to my land and I am the lawful owner of the landed estate known as MARSHALL EDWARD MIKELS, including all versions/combinations of the all cap entity and owner of its trusts, bonds, real property and interest and is the Authorized Representative for MARSHALL MIKELS ***-**-8951, for Bio Corp, a Delaware corporation and a real party in interest.
8. In any matter in state or federal court, Marshall-Edward: Mikels will appear as an officer and the Authorized Representative for BIO CORP/Bio Corp under FRCP, Rule 17, and under Delaware Supreme Court Rule 57 as referenced below.
9. I make this Affidavit in support of this Presentment and Appeal Judgment.
10. In any matter in State or Federal Court, Department, Office or Agency Marshall-Edward: Mikels will make a Special Attendance Rogatory as one of the sovereign People of the United States of America with all power and authority inherently retained and is the Authorized Representative for Bio Corp and MARSHALL EDWARD MIKELS and will respond for the claimant(s) without relinquishing any unalienable private sovereignty Right hereby and previously exercised and claimed by the Affiant. Affiant will not assume any obligation for MARSHALL EDWARD MIKELS or any combination of the all CAP entity without the right to setoff from its assets claimed and owned by Marshall-Edward: Mikels.

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In addition, the Respondent(s)/Debtor(s) agree Affiant shall have the authority and power to issue a Writ of Mandamus as a Superior Court of Record to compel action or performance of the lower state and federal courts referenced previously and herein in this or any matter in connection therewith.

11. All of the filings, applications and registrations in this matter are incorporated herein for all purposes by this reference.

**USPTO NOTICE OF ABANDONMENT MAILED ON SEPTEMBER 1, 2015
IS VOIDED BY NON-CONSENT TO CONTRACT OFFER**

12. On November 20, 2015 the Affiant received a “NOTICE OF ABANDONMENT MAILING DATE Sep 1, 2015” from the USPTO and hereby voids and returns it on 11/20/15 within 72 hours of receipt by the Affiant’s non-consent to contract offer thereby making it void, unlawful and without effect. See, the voided “notice of abandonment” incorporated herein by this reference and attached hereto as **Exhibit 1**.

DELAY IN RECEIPT OF NOTICE

13. The Affiant received the subject a “NOTICE OF ABANDONMENT MAILING DATE Sep 1, 2015” from the USPTO on November 20, 2015 due to its lack of delivery by the “POSTAL CONNECTIONS 11” located at 3053 West Craig Road Suite E, North Las Vegas, NV 8903, who just recently forwarded it to the Affiant at 1625 Grant Rd, Mt Shasta California. The Affiant has not been available to receive any mail at the Las Vegas location since September 2, 2015, thereby causing a delay in any receipt of any mail delivered to that location. The Addressee(s)/Respondent(s) were informed that to verify

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any response to the Presentments including the Notice of Conditional Acceptance for Value and Request for Proof of Claims please deliver the response to Notary, Stacey L. Mack, 205 Mount Shasta Blvd., Suite 400, Mount Shasta CA 96067 which they failed or refused to do thereby nullifying all notices delivered to other addressees on that basis.

**THE USPTO NOTICE OF ABANDONMENT WAS
NOT EMAILED TO AFFIANT**

14. The subject "USPTO NOTICE OF ABANDONMENT" was not emailed to the Affiant and therefore no prior delivery to November 2, 2015 can be claim by the USPTO.

**THE ADDRESSEE(S)/RESPONDENT(S)/DEBTOR(S) TRIED TO RE-
CONTRACT OUT OF THEIR DEFAULT IN DISHONOR OF THE SECURITY
AGREEMENT BY NOT EMAILING NOTICES**

15. The Addressee(s)/Respondent(s)/Debtor(s) have tried to re-contract out of their default in dishonor of the Security Agreement by not emailing notices in the past which is a matter of record however each Notice by the USPTO has been returned cancelled by non-consent to contract offer within the 72 hour period therefore, the Addressee(s)/Respondent(s)/Debtor(s) are still subject to the Security Agreement Acct. No. CAFV-UPOC-CORJ CLAIM # 0296.

**THIS IS NOTICE TO ADDRESSEE(S)/RESPONDENT(S)/DEBTOR(S) THAT
ANY FUTURE NOTICE OR DOCUMENT DELIVERED BY MAIL OR EMAIL
WILL BE AUTOMATICALLY CANCELLED BY NON-CONSENT TO
CONTRACT OFFER UPON RECEIPT OR NOT RECEIVED BY AFFIANT OR
BIO CORP**

16. The Addressee(s)/Respondent(s)/Debtor(s) have tried to re-contract out of their default in dishonor a number of times by using deceptive tactics therefore this is NOTICE

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that all notices, documents or other devices delivered by the USPTO or not delivered but place into the USPTO file will be automatically voided by this Affiant's and Bio Corp's standing non-consent to contract offer and will be void, unlawful and without effect on the Security Agreement Acct. No. CAFV-UPOC-CORJ CLAIM # 0296 the Addressee(s)/ Respondent(s)/Debtor(s) are subject to. And, the Affiant will not be responding to any such notices, documents or other devices delivered or not delivered by the USPTO without effect on said Security Agreement.

THIS IS NOTICE TO ADDRESSEE(S)/RESPONDENT(S)/DEBTOR(S) THAT THEY ARE SUBJECT TO ALL PREVIOUS CLAIMS OF AFFIANT, A COURT OF RECORD JUDGMENT AND A PENDING SUPREME COURT JUDGMENT/MANDATE

17. All of the Claims contained in the Security Agreement and any related Presentments to the USPTO by Affiant have been established as fact by the Addressee(s)/Respondent(s)/Debtor(s)'s non-response to the Presentments referenced herein including the "NOTICE OF AND APPEAL BY AFFIDAVIT OF MARSHALL-EDWARD: MIKELS. AND SUPPLEMENT TO APPEAL DATED 03/17/2015" the "NOTICE OF AND AFFIDAVIT OF NON-CONSENT VOIDING CONTRACT OFFER OF THE UNITED STATES PATENT AND TRADEMARK OFFICE "DISMISSAL NOTICE MAILED JUNE 17, 2015 UNSIGNED AND UN-NAME DATE JUNE 18, 2015" and this "NOTICE OF PENDING JUDGMENT/MANDATE AND AFFIDAVIT OF NON-CONSENT VOIDING CONTRACT OFFER OF THE UNITED STATES PATENT AND TRADEMARK OFFICE "LETTER BY ERIC MC WILLIAMS DATED

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AUGUST 24, 2015” REF: DISMISSAL NOTICE MAILED JUNE 17, 2015 UNSIGNED AND UN-NAMED” and the original Appeal delivered 10/03/14 filed on 10/04/14, resulting in Default in Dishonor and Security Agreement that the Addressee(s)/ Respondent(s) are subject to and by non-response to the Affiant’s Presentments in the subject Appeal. Therefore, the Addressee(s)/Respondent(s) and the USPTO Trademark Trial and Appeal Board and their/its officers are subject to an Appeal Judgment and Mandate in favor of Affiant and Bio Corp, that establishes all of the Affiant’s and Bio Corp’s Claims as fact and valid, and conversely, all the Office Actions of Toby Ellen Bulloff and others, the Appeal proceedings and dismissal letter/notice mailed June 17, 2015 and the letter by Eric McWilliams dated August 24, 2015 is determined to be void, unlawful, without effect and moot. The above referenced Judgment and Mandate/ MANDATE of this Appeal Court of Record was final twenty one days from the mailing of the referenced June 18, 2015 NOTICE and effective on July 10, 2015 upon the Addressee(s)/Respondent(s)/Debtor(s) for their failure to show lawful cause why this Judgment and Mandate should not be made final and enforced. A formal Supreme Court of Record Judgment and Mandate will be issued for publication at an unspecified date without further NOTICE. The Affiant’s “NOTICE OF ISSUANCE OF JUDGMENT/MANDATE AND AFFIDAVIT OF NON-CONSENT VOIDING CONTRACT OFFER OF THE UNITED STATES PATENT AND TRADEMARK OFFICE “LETTER BY ERIC MC WILLIAMS DATED AUGUST 24, 2015” REF: DISMISSAL NOTICE MAILED JUNE 17, 2015 UNSIGNED AND UN-NAMED

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF “NOTICE OF ABANDONMENT” MAILING DATE 09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 & 7015 0640 0006 7319 5952

U.S.P.T.O.'S FAILURE TO RESPOND AND DEFAULT TO FINAL APPEAL
MANDATE AND SECURITY AGREEMENT Notice to Agent id Notice to Principal
and Notice to Principal is Notice to Agent Delivered by Certified Mail August 27, 2015
7015 0640 0006 7342 3390 & 7015 0640 0006 7342 3406 and received by the USPTO
on **September 1, 2015** also nullifies the latest USPTO "NOTICE OF
ABANDONMENT" which was claimed by the USPTO to be mailed on the same date.
See the USPO tracking information incorporated herein and attached hereto as **Exhibit 2.**

A DEFAULT IN DISHONOR IS A COURT OF RECORD JUDGMENT

18. A Default in Dishonor is a court of record judgment based on the un-rebutted Affidavit(s) of Marshall-Edward: Mikels in which the Addressee(s)/Respondent(s) let stand the facts, points, statements and evidence presented in this Affidavit and any other un-rebutted Affidavit stand as undisputed fact, truth and final judgment. A Default in Dishonor of the Presentments and Security Agreement will provide Bio Corp and Affiant the right to file a lien and claim for collection of debt, monetary or property loss, for the return of any beneficial interest in any trust, unclaimed or abandoned property, credit due, interest, damages suffered, time and cost of defense and collection as a result of the actions by the judgment Debtors/Addressee(s)/Respondent(s). And, the stipulation of Addressee(s)/Respondent(s)/Debtor(s) to a self-executing power of attorney to Affiant or his agent to execute a Security Agreement on their/its behalf as their/its agent and sign by accommodation under UCC § 3-419 or other provision of U.C.C. to exercise the right to record a lien and Security Agreement to secure any remedy, debt, property, relief or claim

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE
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7015 0640 0006 7319 5952

due under the Security Agreement entered into by novation, non-response and default of the Addressee(s)/Respondent(s)/Debtor(s), see the “NOTICE OF FEE SCHEDULE, JURISDICTION UNDER THE CONTRACT, COMMERCIAL LAW U.C.C POSTMASTER AND UNIVERSAL POSTAL UNION Notice to Agent is Notice to Principal; Notice to Principal is Notice to Agent” for details of fees, liability and security against judgment debtor(s) incorporated herein by this reference and attached to the Court of Record Default Judgment Security Agreement Claim #0296, dated May 27, 2014 as Exhibit 1.

19. The Addressee(s)/Respondent(s) were informed that to verify any response to the Presentments including the Notice of Conditional Acceptance for Value and Request for Proof of Claims please deliver the response to Notary, Stacey L. Mack, 205 Mount Shasta Blvd., Suite 400, Mount Shasta CA 96067.

NOTE: any court order, letter, document or notice issued by the USPTO, contract entity or a court without an affidavit response to the Proof of Claims or Claims requested or stated herein and signed under penalty of perjury by an authorized representative or official with personal first hand knowledge, or delivered after the time provided for, will be considered a non-response to the NOTICES and Presentments and a default in dishonor will result.

THE PARTIES WERE NOTIFIED THAT ANY PROOF OF CLAIM NOT RESPONDED TO WILL ESTABLISH FACT OF AN ADMISSION OF NON-EXISTENT PROOF, FAILURE TO PROVE THE CLAIM AND ESTABLISH THE UN-REBUTTED FACTS IN THIS AFFIDAVIT AS THE TRUTH

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20. The Addressee(s)/Respondent(s) and Debtor(s) were informed that if any of the request for Proof of Claims or Affiant's Claims were not responded to or rebutted, or were vague, incomplete, evasive or not in compliance with the stated law contained in the contract formed by the referenced Presentments and the United States of America Constitution, Bill of Rights, Declaration of Independence or other Treaties (not civil law, statute, rule, code or ordinance created after the ratification of the original 13th Amendment December 9, 1812) it will constitute a non-response and will be established as a fact of an admission that no proof exists that can be used as a factual and true response. And, to respond with an affidavit by an authorized representative with first hand personal knowledge signed in ink under penalty of perjury within the time provided from the mailing of the Notices/Presentments. Upon Default an automatic grace period of Seven (7) Days would be granted after which a Court of Record Default Judgment in the Appeal will issue as part of the referenced Security Agreement and take effect on the Addressee(s)/Respondent(s)/Debtor(s) without further NOTICE.

21. **WHEREAS**, this Court of Record has been conducted by the supreme authority of the People of the United States of America derived from their unalienable Rights that are inherent from the Creator, by Presentment of Affidavit sworn under penalty of perjury to the facts and evidence contained therein, none higher in authority, which have been established by affidavit un-rebutted and therefore the facts and evidence will stand as the truth and form a Judgment in this Court of Record Appeal which cannot be reviewed by any court and is not subject to impairment under Article 1 Section 10 of the Constitution

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7015 0640 0006 7319 5952

for the United States of America 1787-1789, the Bill of Rights and the Declaration of Independence 1776 which the officers of the USPTO and United States court have taken an Oath as a fiduciary to uphold the People's Trust.

22. **WHEREFORE**, Judgment has be made this day by honorable Presentment and Affidavit of Marshall-Edward: Mikels that has not been responded to by the opposing parties, judges and officers referenced, by affidavit as prescribed herein and in previous Presentments and any counter offer that has been rescinded and cancelled by non-consent of Affiant and therefore, a final Supreme Court Judgment and Mandate to all lower courts whether corporate, government, private or public in favor of Marshall-Edward: Mikels, owner and beneficiary of MARSHALL E. MIKELS and its trusts, property, notes and/or Bio Corp or other assets as prescribed in the aforementioned facts, finding and Security Agreement and this matter has been concluded on July 10, 2015 with the issuance of a final Judgment and Mandate at a time after fourteen days from this Notice. The judgment will include but not be limited to the award of relief of Claims by the Affiant, damages sought by Affiant, defense and other costs due to Affiant and judgment that the judge(s), clerks and officials referenced are determined to be disqualified by void oath nunc pro tunc.

23. **KNOW THAT**, this Appeal Judgment and Mandate by Affidavit of Marshall-Edward: Mikels and Bio Corp is based upon Proof of Claims and the Addressee(s)/ Respondent(s), USPTO, it's Officers or contractors and any ALL CAP versions, by their failure or refusal to rebutt Affiant's Claims thereby ackknowlading and establishing the

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7015 0640 0006 7319 5952

facts comprising res judicata. Therefore, the date for final issuance of Judgment and Mandate for publication has been set by this NOTICE.

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IN WITNESS WHEREOF I hereunto set my hand and seal on this 20th day of November 2015, and hereby certify, swear and affirm under the law of this contract, commercial law U. C. C., the Supreme law of the Constitution for the United States of America, the Bill of Rights, the Declaration of Independence and other Treaties of the United States of America and the state of California Republic that all the statements made above are true, correct and complete based on my personal knowledge, information and belief.

All Rights Reserved Without Prejudice, Under Reserve U. C. C.

Date: 11-20-2015 Affiant: Marshall Edward Mikels (Seal)

Marshall-Edward: Mikels, Secured Party/Creditor/Owner of the Claim and Trademark(s) by Contract and Secured Party Interest in Bio Corp.

Marshall-Edward: Mikels, Secured Party/Creditor/Owner of the Landed Estate MARSHALL EDWARD MIKELS / ***-**-8951 or other version of the all CAP entity name and the Authorized Representative For: MARSHALL E. MIKELS, Under FRCP 17 (a)(F) and Bio Corp. The Original 13th Amendment to the Constitution of the United States of America Prohibiting Esquires from Holding Public Office, to the Constitution of the United States of America 1776-1787-1789, Treaties of the United States of America and Postmaster of the document(s) by autographed stamp and seal affixed hereto and void where prohibited by law.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

JURAT

State of California)

) ss:

County of Siskiyou)

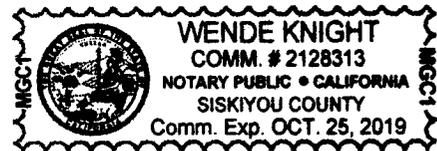
20th Nov.

Subscribed and sworn to (or affirmed) before me on this 18th day of June, 2015, by

Marshall Edward Mikels, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Dustin Bradford Balma / NOTARY Signature (seal)

Wende Knight



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EXHIBIT 1



NOTICE OF ABANDONMENT
FILING DATE: Sep 1, 2011

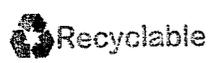
The trademark application identified below was abandoned on Sep 1, 2011 after consideration of applicant's appeal to the Trademark Trial and Appeal Board.

SERIAL NUMBER: 858175
MARK: MILE PLANE DESIGN
OWNER: Bio Corp, a corporation organized in ex

THIS IS RETURNED TO THE APPLICANT WITHOUT EFFECT. REVISED CONTRACT WITHOUT EFFECT. VOID WITHOUT EFFECT. ALL BY MAIL

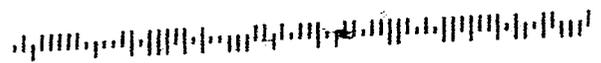
42455791-539-73
UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
CLICK2MAIL
22202



MARSHALL-EDWARDS MIKELS
BIO CORP
3053 W CRAIG RD SUITE E-124
North Las Vegas, NV 89032

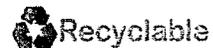
BPKEP1 89092



42455791-539-73

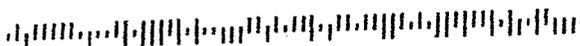
UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

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22202



MARSHALL-EDWARDS MIKELS
BIO CORP
3053 W CRAIG RD SUITE E-124
North Las Vegas, NV 89032

07KSP1 89032



NOTICE OF ABANDONMENT
MAILING DATE: Sep 1, 2015

The trademark application identified below was abandoned on Sep 1, 2015 after consideration of applicant's appeal to the Trademark Trial and Appeal Board.

SERIAL NUMBER: 85819575
MARK: MISCELLANEOUS DESIGN
OWNER: Bio Corp, a corporation organized and ex

EXHIBIT 2

English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking®



Customer Service ›
Have questions? We're here to help.



Get Easy Tracking Updates ›
Sign up for My USPS.

Tracking Number: **70150640000673423406**

Product & Tracking Information

Postal Product:
First-Class Mail®

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
September 1, 2015 , 9:55 am	Delivered	ALEXANDRIA, VA 22314

Your item was delivered at 9:55 am on September 1, 2015 in ALEXANDRIA, VA 22314.

September 1, 2015 , 3:49 am	Arrived at USPS Destination Facility	MERRIFIELD, VA 22081
August 31, 2015 , 9:14 pm	Departed USPS Facility	DULLES, VA 20101
August 31, 2015 , 11:43 am	Arrived at USPS Destination Facility	DULLES, VA 20101
August 28, 2015 , 10:59 pm	Departed USPS Origin Facility	WEST SACRAMENTO, CA 95799
August 28, 2015 , 10:27 pm	Arrived at USPS Origin Facility	WEST SACRAMENTO, CA 95799
August 27, 2015 , 5:08 pm	Departed Post Office	MOUNT SHASTA, CA 96067
August 27, 2015 , 4:38 pm	Acceptance	MOUNT SHASTA, CA 96067

Available Actions

Track Another Package

Tracking (or receipt) number

Track

Manage Incoming Packages

Track all your packages from a dashboard. No tracking numbers necessary.

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Tracking Number: **70150640000673423390**

Product & Tracking Information

Available Actions

Postal Product:
First-Class Mail®

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
September 1, 2015 , 9:55 am	Delivered	ALEXANDRIA, VA 22314

Your item was delivered at 9:55 am on September 1, 2015 in ALEXANDRIA, VA 22314.

September 1, 2015 , 3:51 am	Arrived at USPS Destination Facility	MERRIFIELD, VA 22081
August 31, 2015 , 9:14 pm	Departed USPS Facility	DULLES, VA 20101
August 31, 2015 , 11:16 am	Arrived at USPS Destination Facility	DULLES, VA 20101
August 29, 2015 , 1:56 am	Departed USPS Facility	WEST SACRAMENTO, CA 95799
August 28, 2015 , 11:20 pm	Arrived at USPS Origin Facility	WEST SACRAMENTO, CA 95799
August 27, 2015 , 5:08 pm	Departed Post Office	MOUNT SHASTA, CA 96067
August 27, 2015 , 4:41 pm	Acceptance	MOUNT SHASTA, CA 96067

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1 Marshall-Edward: Mikels, Secured
2 Party/Creditor/Owner of the Claim and
3 Trademark(s) by Contract and Secured Party
4 Interest in Bio Corp, and, Authorized
5 Representative For: MARSHALL E. MIKELS,
6 Under FRCP 17 (a)(F) and Bio Corp.
7 **Mailing Address:** Bio Corp,
8 3053 West Craig Road, Suite E-124
9 North Las Vegas, NV 89032 without U.S.
10 530-918-4162 biocorp@nctv.com

11 **PROOF OF SERVICE**

12 **UNITED STATES PATENT AND TRADEMARK OFFICE**

13 **BIO CORP and MARSHALL E. MIKELS**

14 Petitioner/Appellant

15 v.

16 **UNITED STATES PATENT AND**
17 **TRADEMARK OFFICE,**
18 **MIR INNOVATIONS INC., GREG CLARK**
19 **And. ALPHA MEN'S EDGE NUTRITION, INC.**

20 Respondent

21 **APPLICATION SERIAL NO. 85819575**

22 **NOTICE OF NON-CONSENT TO CONTRACT**
23 **OFFER**

24 **OF "NOTICE OF ABANDONMENT" MAILING**
25 **DATE 09/01/15,**

26 **VOID, UNLAWFUL AND WITHOUT EFFECT**

27 Notice to Agent id Notice to Principal and Notice to

Principal is Notice to Agent

Delivered by Certified Mail

November 20, 2015

VOIDING CONTRACT OFFER OF
THE UNITED STATES PATENT AND
TRADEMARK OFFICE
DEFAULT TO FINAL APPEAL MANDATE
AND

SECURITY AGREEMENT

IN REF TO, APPEAL FOR REVERSAL OF FINAL

REFUSAL OFFICE ACTION AND

REGISTRATION OF U.S. APPLICATION SERIAL NO.

85819575.

- 28
- 29 1. At the time of service I was over eighteen (18) years of age and not a party to this action.
 - 30 2. My residence or business address is: : 610 Alder Street, Mount Shasta California Republic (96067).
 - 31 3. On November 20 , 2015, I served the following documents by U.S. mail:

32 **PROOF OF SERVICE OF NOTICE OF NON-CONSENT TO THE UNITED STATES PATENT AND TRADEMARK**
33 **OFFICE VOIDING CONTRACT OFFER OF "June 17, 2015 NOTICE OF "DISMISSED" DATED 06/17/2015**
34 **AND FINAL APPEAL JUDGMENT IN FAVOR OF APPELLANT AND AFFIANT IN**
35 **Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575**

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IN REFERENCE TO:



Bio Corp's Trademark used since 1991 and claimed in use since April 15, 1992 in Registration Number 2964648. Renewal Application 85819575 filed on January 9th 2013, suspended by USPTO April 29th 2013, refused on May 13, 2013 on the basis of "likelihood of confusion" with Mir Innovations Inc.'s mark shown in Exhibit 3 and a copy of the Bio Corp prior trademark design used in its application 85819575 and the USPTO acknowledgement response attached to the 1st Presentment dated February 8, 2014 as Exhibit 2.

DOCUMENT(S) SERVED
APPLICATION SERIAL NO. 85819575

**NOTICE OF NON-CONSENT TO CONTRACT OFFER
OF "NOTICE OF ABANDONMENT" MAILING DATE 09/01/15,
VOID, UNLAWFUL AND WITHOUT EFFECT**

Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent
Delivered by Certified Mail November 20, 2015
IN REF TO, JUDGMENT VOIDING FINAL REFUSAL OFFICE ACTION AND
REGISTRATION OF U.S. APPLICATION SERIAL NO. 85819575.

From: APPLICANT
BIO CORP. a Delaware Corporation
Bio Corp's Authorized Representative
Marshall-Edward: Mikels, Bio Corp,
3053 West Craig Road, Suite E-124
North Las Vegas, NV 89032 without U.S.
Delivered by respond to
Stacey L Mack [Notary Public]
205 Mount Shasta Blvd.,
Suite 400,
Mount Shasta CA 96067

Appeal Board
C/O Dawnmarie D. Sanok
Attorney Advisor and
Denise M. DelGizzi, Program Manager
Office of the Deputy Commissioner
for Trademark Examination Policy
dawn-marie.sanok@uspto.gov
571-272-9577 (O)
**Delivered by Certified Mail 7015 0640 0006 7319
5952**

To Addressee(s)/Respondent(s)/Debtor:
DEBORAH COHN, in Official capacity and
Deborah Cohn in individual capacity
Commissioner of Trademarks United States
and assigned Director
Patent and Trademark Office
600 Dulany Street
Alexandria, VA 22314,
Delivered by Certified Mail 7015 0640 0006 7319 5969

PROOF OF SERVICE OF NOTICE OF NON-CONSENT TO THE UNITED STATES PATENT AND TRADEMARK
OFFICE VOIDING CONTRACT OFFER OF "June 17, 2015 NOTICE OF "DISMISSED" DATED 06/17/2015
AND FINAL APPEAL JUDGMENT IN FAVOR OF APPELLANT AND AFFIANT IN
Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575

1 **To Addressee(s)/Respondent(s)/Debtor:**
2 **TOBY ELLEN BULLOFF, Esquire, in Official capacity**
3 **and Toby Ellen Bulloff in individual capacity**
4 Examining Attorney for the United States
5 Patent and trademark Office
6 Law Office 119, 600 Dulany Street
7 Alexandria, VA 22314
8 (571) 270-1531
9 toby.bulloff@uspto.gov
10 **Delivered by First Class Mail**

OPPOSING PARTY

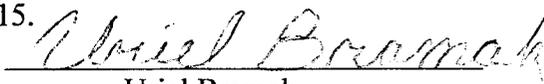
To Addressee(s)/Respondent(s)/Debtor:
Mir Innovations, Inc. CORPORATION TEXAS
GREG CLARK Executive Officer, official capacity
And, Greg Clark, individual capacity
534 CONTINENTAL DRIVE, LEWISVILLE TX
75067,
And, Greg Clark CEO Alpha Men's Edge Nutrition,
Inc.
2701 Little Elm Pkwy Ste 100 #527 Little Elm, TX
75068 and 534 CONTINENTAL DRIVE,
LEWISVILLE TX 75067,
Delivered by First Class Mail

11 4. I served the documents on the person or persons above, as follows:
12 Name of person served Respondent(s) referenced above:

13 5. Business or residence addresses where the person or persons were served as indicated above to
14 the party, opposing parties, their attorney, or other.

15 6. By causing first class U.S. Mail delivery as shown above. I caused to be enclosed the documents
16 in a sealed envelope or package addressed to the persons shown above, or in care of their
17 attorney/agent above by depositing the sealed envelope or package with the U. S Postal Service, with
18 the postage fully prepaid.

19 I declare under the penalty of perjury that the foregoing is true and correct on this 20th day of
20 Novemebr 2015.

21 Declarant: By 
22 Uriel Bramah



**NOTICE OF NON-CONSENT TO CONTRACT OFFER
OF "NOTICE OF ABANDONMENT" MAILING DATE 09/01/15,
VOID, UNLAWFUL AND WITHOUT EFFECT**

Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent
Delivered by Certified Mail

November 20, 2015

From:

Bio Corp's Authorized Representative Marshall-Edward: Mikels,
BIO CORP, A CORPORATION ORGANIZED AND EX
3053 WEST CRAIG ROAD, SUITE E-124
NORTH LAS VEGAS, NV 89032

Delivered by respond to

Stacey L Mack [Notary Public]
205 Mount Shasta Blvd.,
Suite 400,
Mount Shasta CA 96067

To Addressee(s)/Respondent(s)/Debtor:

DEBORAH COHN, in Official capacity and Deborah Cohn in individual capacity

Commissioner of Trademarks United States
and assigned Director
Patent and Trademark Office
600 Dulany Street
Alexandria, VA 22314,

Delivered by Certified Mail 7015 0640 0006 7319 5969

To Addressee(s)/Respondent(s)

USPTO Appeal Board, All Officers/Judges/Commissioners/Employees

In Official Capacity and in Individual Capacity

C/O Dawnmarie D. Sanok Attorney Advisor and

Denise M. DelGizzi Technical Program Manager

Eric McWilliams Supervisory Paralegal

Office of the Deputy Commissioner

for Trademark Examination Policy

dawn-marie **To Addressee(s)/Respondent(s)/anok@uspto.gov**

571-272-9577 (O)

Delivered by Certified Mail 7015 0640 0006 7319 5952

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE
09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to
Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 &
7015 0640 0006 7319 5952



11-23-2015

To Addressee(s)/Respondent(s)/Debtor:
TOBY ELLEN BULLOFF, Esquire, in Official capacity and
Toby Ellen Bulloff in individual capacity
Examining Attorney for the United States
Patent and trademark Office
Law Office 119, 600 Dulany Street
Alexandria, VA 22314
(571) 270-1531
toby.bulloff@uspto.gov
Delivered by First Class Mail

OPPOSING PARTY

To Addressee(s)/Respondent(s)/Debtor:
Mir Innovations, Inc. CORPORATION TEXAS
GREG CLARK Executive Officer, official capacity
And, Greg Clark, individual capacity
534 CONTINENTAL DRIVE, LEWISVILLE TX 75067,
And, Greg Clark CEO Alpha Men's Edge Nutrition, Inc.
2701 Little Elm Pkwy Ste 100 #527 Little Elm, TX 75068 and 534 CONTINENTAL
DRIVE, LEWISVILLE TX 75067, **Delivered by First Class Mail**

Re: USPTO “NOTICE OF ABANDONMENT MAILED ON SEPTEMBER 1, 2015” IS RETURNED VOIDED BY NON-CONSENT TO CONTRACT OFFER, VOID, UNLAWFUL AND WITHOUT EFFECT, IN REF: Serial No, 85819575, Mark: MISCELLANEOUS DESIGN Owner: Bio Corp and Marshall-Edward: Mikels

Re: August 27, 2015 NOTICE OF ISSUANCE OF JUDGMENT/MANDATE AND AFFIDAVIT OF NON-CONSENT VOIDING CONTRACT OFFER OF THE UNITED STATES PATENT AND TRADEMARK OFFICE “LETTER BY ERIC MC WILLIAMS DATED AUGUST 24, 2015” REF: DISMISSAL NOTICE MAILED JUNE 17, 2015 UNSIGNED AND UN-NAMED U.S.P.T.O.’S FAILURE TO RESPOND AND DEFAULT TO FINAL APPEAL MANDATE AND SECURITY AGREEMENT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered September 1, 2015 by Certified Mail 7015 0640 0006 7342 3390 & 7015 0640 0006 7342 3406

Re: Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575, Contract Offer Letter from Denise M. DelGizzi dated April 6, 2015, referring to “Applicant’s communication” filed March

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF “NOTICE OF ABANDONMENT” MAILING DATE 09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 & 7015 0640 0006 7319 5952

23, 2015, which was in fact a "NOTICE OF AND APPEAL BY AFFIDAVIT OF MARSHALL-EDWARD: MIKELS, AND SUPPLEMENT TO APPEAL DELIVERED 10/03/14 FILED ON 10/04/14" the subject "APPEAL BY AFFIDAVIT & SUPPLEMENT" was executed on 03-17-2015 and delivered to the USPTO on 03/19/2015 by UPS 1Z6F90640152746087 THEREFORE FILED BY DELIVERY 03/19/2015

Re: Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575, NOTICE: LETTER OFFICE ACTION BY: TOBY E. BULLOFF DATED 01-16-2015. REQUEST FOR RECONSIDERATION DENIED, previously REMANDED TO APPEAL: C/O Dawnmarie D. Sanok DATED 11/21/2014

Re: Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575, NOTICE: APPLICATION ABANDONED BY: Toby E. Bulloff DATED 11-21-2014. AND, PETITION TO DIRECTOR, DISMISSED, and REMANDED TO APPEAL BY: Dawnmarie D. Sanok DATED 11/21/2014

Re: NOTICE OF NON-CONSENT TO "NOTICE: APPLICATION ABANDONED" VOIDING AND WITHOUT EFFECT "PETITION TO DIRECTOR DISMISSED" dated 11/21/2014

AFFIDAVIT

"Indeed, no more than affidavits are necessary to make the prima facie case." United States v. Kis, 658 F.2d, 526, 536 (7th Cir. 1981); Cert. Denied, 50 U.S. L. W. 2169; S. Ct. March 22, 1982

1. TO ALL CONCERNED the undersigned Affiant, Marshall-Edward: Mikels, does solemnly swear, declare and state as follows:
2. Affiant is competent to state the matters set forth herein.
3. Affiant has personal knowledge of the facts stated herein.
4. Those matters not within the personal knowledge of Affiant or law are based upon information, belief and public record.

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE 09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 & 7015 0640 0006 7319 5952

5. All the facts herein are true, correct and complete, admissible as evidence and if called upon as a witness, Affiant will testify to their veracity.

6. The Respondent(s)/Debtor(s) agree with Marshall-Edward: Mikels' aforementioned claims and the following.

7. I Marshall-Edward: Mikels have indefeasible title to my land and I am the lawful owner of the landed estate known as MARSHALL EDWARD MIKELS, including all versions/combinations of the all cap entity and owner of its trusts, bonds, real property and interest and is the Authorized Representative for MARSHALL MIKELS ***-**-8951, for Bio Corp, a Delaware corporation and a real party in interest.

8. In any matter in state or federal court, Marshall-Edward: Mikels will appear as an officer and the Authorized Representative for BIO CORP/Bio Corp under FRCP, Rule 17, and under Delaware Supreme Court Rule 57 as referenced below.

9. I make this Affidavit in support of this Presentment and Appeal Judgment.

10. In any matter in State or Federal Court, Department, Office or Agency Marshall-Edward: Mikels will make a Special Attendance Rogatory as one of the sovereign People of the United States of America with all power and authority inherently retained and is the Authorized Representative for Bio Corp and MARSHALL EDWARD MIKELS and will respond for the claimant(s) without relinquishing any unalienable private sovereignty Right hereby and previously exercised and claimed by the Affiant. Affiant will not assume any obligation for MARSHALL EDWARD MIKELS or any combination of the all CAP entity without the right to setoff from its assets claimed and owned by Marshall-Edward: Mikels.

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE
09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to
Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 &
7015 0640 0006 7319 5952

In addition, the Respondent(s)/Debtor(s) agree Affiant shall have the authority and power to issue a Writ of Mandamus as a Superior Court of Record to compel action or performance of the lower state and federal courts referenced previously and herein in this or any matter in connection therewith.

11. All of the filings, applications and registrations in this matter are incorporated herein for all purposes by this reference.

**USPTO NOTICE OF ABANDONMENT MAILED ON SEPTEMBER 1, 2015
IS VOIDED BY NON-CONSENT TO CONTRACT OFFER**

12. On November 20, 2015 the Affiant received a “NOTICE OF ABANDONMENT MAILING DATE Sep 1, 2015” from the USPTO and hereby voids and returns it on 11/20/15 within 72 hours of receipt by the Affiant’s non-consent to contract offer thereby making it void, unlawful and without effect. See, the voided “notice of abandonment” incorporated herein by this reference and attached hereto as **Exhibit 1**.

DELAY IN RECEIPT OF NOTICE

13. The Affiant received the subject a “NOTICE OF ABANDONMENT MAILING DATE Sep 1, 2015” from the USPTO on November 20, 2015 due to its lack of delivery by the “POSTAL CONNECTIONS 11” located at 3053 West Craig Road Suite E, North Las Vegas, NV 8903, who just recently forwarded it to the Affiant at 1625 Grant Rd, Mt Shasta California. The Affiant has not been available to receive any mail at the Las Vegas location since September 2, 2015, thereby causing a delay in any receipt of any mail delivered to that location. The Addressee(s)/Respondent(s) were informed that to verify

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF “NOTICE OF ABANDONMENT” MAILING DATE
09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to
Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 &
7015 0640 0006 7319 5952

any response to the Presentments including the Notice of Conditional Acceptance for Value and Request for Proof of Claims please deliver the response to Notary, Stacey L. Mack, 205 Mount Shasta Blvd., Suite 400, Mount Shasta CA 96067 which they failed or refused to do thereby nullifying all notices delivered to other addressees on that basis.

**THE USPTO NOTICE OF ABANDONMENT WAS
NOT EMAILED TO AFFIANT**

14. The subject "USPTO NOTICE OF ABANDONMENT" was not emailed to the Affiant and therefore no prior delivery to November 2, 2015 can be claim by the USPTO.

**THE ADDRESSEE(S)/RESPONDENT(S)/DEBTOR(S) TRIED TO RE-
CONTRACT OUT OF THEIR DEFAULT IN DISHONOR OF THE SECURITY
AGREEMENT BY NOT EMAILING NOTICES**

15. The Addressee(s)/Respondent(s)/Debtor(s) have tried to re-contract out of their default in dishonor of the Security Agreement by not emailing notices in the past which is a matter of record however each Notice by the USPTO has been returned cancelled by non-consent to contract offer within the 72 hour period therefore, the Addressee(s)/Respondent(s)/Debtor(s) are still subject to the Security Agreement Acct. No. CAFV-UPOC-CORJ CLAIM # 0296.

**THIS IS NOTICE TO ADDRESSEE(S)/RESPONDENT(S)/DEBTOR(S) THAT
ANY FUTURE NOTICE OR DOCUMENT DELIVERED BY MAIL OR EMAIL
WILL BE AUTOMATICALLY CANCELLED BY NON-CONSENT TO
CONTRACT OFFER UPON RECEIPT OR NOT RECEIVED BY AFFIANT OR
BIO CORP**

16. The Addressee(s)/Respondent(s)/Debtor(s) have tried to re-contract out of their default in dishonor a number of times by using deceptive tactics therefore this is NOTICE

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE
09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to
Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 &
7015 0640 0006 7319 5952

that all notices, documents or other devices delivered by the USPTO or not delivered but place into the USPTO file will be automatically voided by this Affiant's and Bio Corp's standing non-consent to contract offer and will be void, unlawful and without effect on the Security Agreement Acct. No. CAFV-UPOC-CORJ CLAIM # 0296 the Addressee(s)/ Respondent(s)/Debtor(s) are subject to. And, the Affiant will not be responding to any such notices, documents or other devices delivered or not delivered by the USPTO without effect on said Security Agreement.

THIS IS NOTICE TO ADDRESSEE(S)/RESPONDENT(S)/DEBTOR(S) THAT THEY ARE SUBJECT TO ALL PREVIOUS CLAIMS OF AFFIANT, A COURT OF RECORD JUDGMENT AND A PENDING SUPREME COURT JUDGMENT/MANDATE

17. All of the Claims contained in the Security Agreement and any related Presentments to the USPTO by Affiant have been established as fact by the Addressee(s)/Respondent(s)/Debtor(s)'s non-response to the Presentments referenced herein including the "NOTICE OF AND APPEAL BY AFFIDAVIT OF MARSHALL-EDWARD: MIKELS, AND SUPPLEMENT TO APPEAL DATED 03/17/2015" the "NOTICE OF AND AFFIDAVIT OF NON-CONSENT VOIDING CONTRACT OFFER OF THE UNITED STATES PATENT AND TRADEMARK OFFICE "DISMISSAL NOTICE MAILED JUNE 17, 2015 UNSIGNED AND UN-NAME DATE JUNE 18, 2015" and this "NOTICE OF PENDING JUDGMENT/MANDATE AND AFFIDAVIT OF NON-CONSENT VOIDING CONTRACT OFFER OF THE UNITED STATES PATENT AND TRADEMARK OFFICE "LETTER BY ERIC MC WILLIAMS DATED

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE 09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 & 7015 0640 0006 7319 5952

AUGUST 24, 2015” REF: DISMISSAL NOTICE MAILED JUNE 17, 2015 UNSIGNED AND UN-NAMED” and the original Appeal delivered 10/03/14 filed on 10/04/14, resulting in Default in Dishonor and Security Agreement that the Addressee(s)/ Respondent(s) are subject to and by non-response to the Affiant’s Presentments in the subject Appeal. Therefore, the Addressee(s)/Respondent(s) and the USPTO Trademark Trial and Appeal Board and their/its officers are subject to an Appeal Judgment and Mandate in favor of Affiant and Bio Corp, that establishes all of the Affiant’s and Bio Corp’s Claims as fact and valid, and conversely, all the Office Actions of Toby Ellen Bulloff and others, the Appeal proceedings and dismissal letter/notice mailed June 17, 2015 and the letter by Eric McWilliams dated August 24, 2015 is determined to be void, unlawful, without effect and moot. The above referenced Judgment and Mandate/ MANDATE of this Appeal Court of Record was final twenty one days from the mailing of the referenced June 18, 2015 NOTICE and effective on July 10, 2015 upon the Addressee(s)/Respondent(s)/Debtor(s) for their failure to show lawful cause why this Judgment and Mandate should not be made final and enforced. A formal Supreme Court of Record Judgment and Mandate will be issued for publication at an unspecified date without further NOTICE. The Affiant’s “NOTICE OF ISSUANCE OF JUDGMENT/MANDATE AND AFFIDAVIT OF NON-CONSENT VOIDING CONTRACT OFFER OF THE UNITED STATES PATENT AND TRADEMARK OFFICE “LETTER BY ERIC MC WILLIAMS DATED AUGUST 24, 2015” REF: DISMISSAL NOTICE MAILED JUNE 17, 2015 UNSIGNED AND UN-NAMED

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF “NOTICE OF ABANDONMENT” MAILING DATE 09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 & 7015 0640 0006 7319 5952

U.S.P.T.O.'S FAILURE TO RESPOND AND DEFAULT TO FINAL APPEAL
MANDATE AND SECURITY AGREEMENT Notice to Agent id Notice to Principal
and Notice to Principal is Notice to Agent Delivered by Certified Mail August 27, 2015
7015 0640 0006 7342 3390 & 7015 0640 0006 7342 3406 and received by the USPTO
on **September 1, 2015** also nullifies the latest USPTO "NOTICE OF
ABANDONMENT" which was claimed by the USPTO to be mailed on the same date.
See the USPO tracking information incorporated herein and attached hereto as **Exhibit 2**.

A DEFAULT IN DISHONOR IS A COURT OF RECORD JUDGMENT

18. A Default in Dishonor is a court of record judgment based on the un-rebutted Affidavit(s) of Marshall-Edward: Mikels in which the Addressee(s)/Respondent(s) let stand the facts, points, statements and evidence presented in this Affidavit and any other un-rebutted Affidavit stand as undisputed fact, truth and final judgment. A Default in Dishonor of the Presentments and Security Agreement will provide Bio Corp and Affiant the right to file a lien and claim for collection of debt, monetary or property loss, for the return of any beneficial interest in any trust, unclaimed or abandoned property, credit due, interest, damages suffered, time and cost of defense and collection as a result of the actions by the judgment Debtors/Addressee(s)/Respondent(s). And, the stipulation of Addressee(s)/Respondent(s)/Debtor(s) to a self-executing power of attorney to Affiant or his agent to execute a Security Agreement on their/its behalf as their/its agent and sign by accommodation under UCC § 3-419 or other provision of U.C.C. to exercise the right to record a lien and Security Agreement to secure any remedy, debt, property, relief or claim

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE
09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to
Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 &
7015 0640 0006 7319 5952

due under the Security Agreement entered into by novation, non-response and default of the Addressee(s)/Respondent(s)/Debtor(s), see the “NOTICE OF FEE SCHEDULE, JURISDICTION UNDER THE CONTRACT, COMMERCIAL LAW U.C.C POSTMASTER AND UNIVERSAL POSTAL UNION Notice to Agent is Notice to Principal; Notice to Principal is Notice to Agent” for details of fees, liability and security against judgment debtor(s) incorporated herein by this reference and attached to the Court of Record Default Judgment Security Agreement Claim #0296, dated May 27, 2014 as Exhibit 1.

19. The Addressee(s)/Respondent(s) were informed that to verify any response to the Presentments including the Notice of Conditional Acceptance for Value and Request for Proof of Claims please deliver the response to Notary, Stacey L. Mack, 205 Mount Shasta Blvd., Suite 400, Mount Shasta CA 96067.

NOTE: any court order, letter, document or notice issued by the USPTO, contract entity or a court without an affidavit response to the Proof of Claims or Claims requested or stated herein and signed under penalty of perjury by an authorized representative or official with personal first hand knowledge, or delivered after the time provided for, will be considered a non-response to the NOTICES and Presentments and a default in dishonor will result.

THE PARTIES WERE NOTIFIED THAT ANY PROOF OF CLAIM NOT RESPONDED TO WILL ESTABLISH FACT OF AN ADMISSION OF NON-EXISTENT PROOF, FAILURE TO PROVE THE CLAIM AND ESTABLISH THE UN-REBUTTED FACTS IN THIS AFFIDAVIT AS THE TRUTH

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF “NOTICE OF ABANDONMENT” MAILING DATE 09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 & 7015 0640 0006 7319 5952

20. The Addressee(s)/Respondent(s) and Debtor(s) were informed that if any of the request for Proof of Claims or Affiant's Claims were not responded to or rebutted, or were vague, incomplete, evasive or not in compliance with the stated law contained in the contract formed by the referenced Presentments and the United States of America Constitution, Bill of Rights, Declaration of Independence or other Treaties (not civil law, statute, rule, code or ordinance created after the ratification of the original 13th Amendment December 9, 1812) it will constitute a non-response and will be established as a fact of an admission that no proof exists that can be used as a factual and true response. And, to respond with an affidavit by an authorized representative with first hand personal knowledge signed in ink under penalty of perjury within the time provided from the mailing of the Notices/Presentments. Upon Default an automatic grace period of Seven (7) Days would be granted after which a Court of Record Default Judgment in the Appeal will issue as part of the referenced Security Agreement and take effect on the Addressee(s)/Respondent(s)/Debtor(s) without further NOTICE.

21. **WHEREAS**, this Court of Record has been conducted by the supreme authority of the People of the United States of America derived from their unalienable Rights that are inherent from the Creator, by Presentment of Affidavit sworn under penalty of perjury to the facts and evidence contained therein, none higher in authority, which have been established by affidavit un-rebutted and therefore the facts and evidence will stand as the truth and form a Judgment in this Court of Record Appeal which cannot be reviewed by any court and is not subject to impairment under Article 1 Section 10 of the Constitution

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for the United States of America 1787-1789, the Bill of Rights and the Declaration of Independence 1776 which the officers of the USPTO and United States court have taken an Oath as a fiduciary to uphold the People's Trust.

22. **WHEREFORE**, Judgment has be made this day by honorable Presentment and Affidavit of Marshall-Edward: Mikels that has not been responded to by the opposing parties, judges and officers referenced, by affidavit as prescribed herein and in previous Presentments and any counter offer that has been rescinded and cancelled by non-consent of Affiant and therefore, a final Supreme Court Judgment and Mandate to all lower courts whether corporate, government, private or public in favor of Marshall-Edward: Mikels, owner and beneficiary of MARSHALL E. MIKELS and its trusts, property, notes and/or Bio Corp or other assets as prescribed in the aforementioned facts, finding and Security Agreement and this matter has been concluded on July 10, 2015 with the issuance of a final Judgment and Mandate at a time after fourteen days from this Notice. The judgment will include but not be limited to the award of relief of Claims by the Affiant, damages sought by Affiant, defense and other costs due to Affiant and judgment that the judge(s), clerks and officials referenced are determined to be disqualified by void oath nunc pro tunc.

23. **KNOW THAT**, this Appeal Judgment and Mandate by Affidavit of Marshall-Edward: Mikels and Bio Corp is based upon Proof of Claims and the Addressee(s)/ Respondent(s), USPTO, it's Officers or contractors and any ALL CAP versions, by their failure or refusal to rebutt Affiant's Claims thereby ackkowladging and establishing the

NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE
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7015 0640 0006 7319 5952

facts comprising res judicata. Therefore, the date for final issuance of Judgment and Mandate for publication has been set by this NOTICE.

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**NOTICE OF NON-CONSENT TO CONTRACT OFFER OF "NOTICE OF ABANDONMENT" MAILING DATE
09/01/15, VOID, UNLAWFUL AND WITHOUT EFFECT Notice to Agent id Notice to Principal and Notice to
Principal is Notice to Agent Delivered by Certified Mail 7015 0640 0006 7319 5969 &
7015 0640 0006 7319 5952**

IN WITNESS WHEREOF I hereunto set my hand and seal on this 20th day of November 2015, and hereby certify, swear and affirm under the law of this contract, commercial law U. C. C., the Supreme law of the Constitution for the United States of America, the Bill of Rights, the Declaration of Independence and other Treaties of the United States of America and the state of California Republic that all the statements made above are true, correct and complete based on my personal knowledge, information and belief.

All Rights Reserved Without Prejudice, Under Reserve U. C. C.

Date: 11-20-2015 Affiant: Marshall Edward Mikels (Seal)
Marshall-Edward: Mikels, Secured Party/Creditor/Owner of the Claim and Trademark(s) by Contract and Secured Party Interest in Bio Corp.

Marshall-Edward: Mikels, Secured Party/Creditor/Owner of the Landed Estate
MARSHALL EDWARD MIKELS / ***-**-8951 or other version of the all CAP entity name and the Authorized Representative For: MARSHALL E. MIKELS, Under FRCP 17 (a)(F) and Bio Corp. The Original 13th Amendment to the Constitution of the United States of America Prohibiting Esquires from Holding Public Office, to the Constitution of the United States of America 1776-1787-1789, Treaties of the United States of America and Postmaster of the document(s) by autographed stamp and seal affixed hereto and void where prohibited by law.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

JURAT

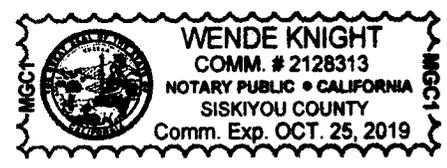
State of California)
) ss:
County of Siskiyou)

25th Nov.
11/20

Subscribed and sworn to (or affirmed) before me on this 18th day of June, 2015, by

Marshall Edward Mikels, proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Wende Knight
Dustin Bradford Balma / NOTARY Signature (seal)
Wende Knight



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EXHIBIT 1



NOTICE OF ABANDONMENT
FILING DATE: Sep 1, 2011

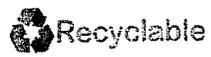
The trademark application identified below was abandoned on Sep 1, 2011 after consideration of applicant's appeal to the Trademark Trial and Appeal Board.

SERIAL NUMBER: 8581175
MARK: MILE PLANE DESIGN
OWNER: Bio Corp, a corporation organized in ex

**RETURN TO THE APPLICANT
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ALL RIGHTS RESERVED
BY MAIL**

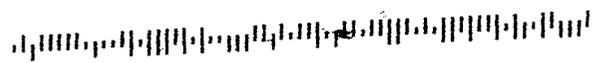
42455791-539-73
UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

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MARSHALL-EDWARDS MIKELS
BIO CORP
3053 W CRAIG RD SUITE E-124
North Las Vegas, NV 89032

BPKEP1 89032



42455791-539-73

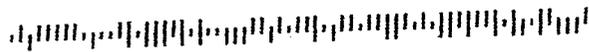
UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR TRADEMARKS
P.O. BOX 1451
ALEXANDRIA, VA 22313-1451

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U.S. POSTAGE PAID
CLICK2MAIL
22202



MARSHALL-EDWARDS MIKELS
BIO CORP
3053 W CRAIG RD SUITE E-124
North Las Vegas, NV 89032

BPKEP1 89032



NOTICE OF ABANDONMENT
MAILING DATE: Sep 1, 2015

The trademark application identified below was abandoned on Sep 1, 2015 after consideration of applicant's appeal to the Trademark Trial and Appeal Board.

SERIAL NUMBER: 85819575
MARK: MISCELLANEOUS DESIGN
OWNER: Bio Corp, a corporation organized and ex

EXHIBIT 2

English

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Tracking Number: **70150640000673423406**

Product & Tracking Information

Postal Product:
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Features:
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DATE & TIME	STATUS OF ITEM	LOCATION
September 1, 2015 , 9:55 am	Delivered	ALEXANDRIA, VA 22314

Your item was delivered at 9:55 am on September 1, 2015 in ALEXANDRIA, VA 22314.

September 1, 2015 , 3:49 am	Arrived at USPS Destination Facility	MERRIFIELD, VA 22081
August 31, 2015 , 9:14 pm	Departed USPS Facility	DULLES, VA 20101
August 31, 2015 , 11:43 am	Arrived at USPS Destination Facility	DULLES, VA 20101
August 28, 2015 , 10:59 pm	Departed USPS Origin Facility	WEST SACRAMENTO, CA 95799
August 28, 2015 , 10:27 pm	Arrived at USPS Origin Facility	WEST SACRAMENTO, CA 95799
August 27, 2015 , 5:08 pm	Departed Post Office	MOUNT SHASTA, CA 96067
August 27, 2015 , 4:38 pm	Acceptance	MOUNT SHASTA, CA 96067

Available Actions

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Tracking (or receipt) number

Find a Package

Manage Incoming Packages

Track all your packages from a dashboard. No tracking numbers necessary.

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Have questions? We're here to help.

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Sign up for My USPS.

Tracking Number: **70150640000673423390**

Product & Tracking Information

Available Actions

Postal Product:
First-Class Mail®

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
September 1, 2015 , 9:55 am	Delivered	ALEXANDRIA, VA 22314

Your item was delivered at 9:55 am on September 1, 2015 in ALEXANDRIA, VA 22314.

September 1, 2015 , 3:51 am	Arrived at USPS Destination Facility	MERRIFIELD, VA 22081
August 31, 2015 , 9:14 pm	Departed USPS Facility	DULLES, VA 20101
August 31, 2015 , 11:16 am	Arrived at USPS Destination Facility	DULLES, VA 20101
August 29, 2015 , 1:56 am	Departed USPS Facility	WEST SACRAMENTO, CA 95799
August 28, 2015 , 11:20 pm	Arrived at USPS Origin Facility	WEST SACRAMENTO, CA 95799
August 27, 2015 , 5:08 pm	Departed Post Office	MOUNT SHASTA, CA 96067
August 27, 2015 , 4:41 pm	Acceptance	MOUNT SHASTA, CA 96067

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1 Marshall-Edward: Mikels, Secured
2 Party/Creditor/Owner of the Claim and
3 Trademark(s) by Contract and Secured Party
4 Interest in Bio Corp, and, Authorized
5 Representative For: MARSHALL E. MIKELS,
6 Under FRCP 17 (a)(F) and Bio Corp.
7 **Mailing Address:** Bio Corp,
8 3053 West Craig Road, Suite E-124
9 North Las Vegas, NV 89032 without U.S.
10 530-918-4162 biocorp@nctv.com

11 **PROOF OF SERVICE**

12 **UNITED STATES PATENT AND TRADEMARK OFFICE**

13 BIO CORP and MARSHALL E. MIKELS
14 Petitioner/Appellant
15 v.
16 UNITED STATES PATENT AND
17 TRADEMARK OFFICE,
18 MIR INNOVATIONS INC., GREG CLARK
19 And. ALPHA MEN'S EDGE NUTRITION, INC.

20 Respondent

21 **APPLICATION SERIAL NO. 85819575**
22 **NOTICE OF NON-CONSENT TO CONTRACT**
23 **OFFER**
24 **OF "NOTICE OF ABANDONMENT" MAILING**
25 **DATE 09/01/15,**
26 **VOID, UNLAWFUL AND WITHOUT EFFECT**
27 Notice to Agent id Notice to Principal and Notice to
Principal is Notice to Agent
Delivered by Certified Mail
November 20, 2015
VOIDING CONTRACT OFFER OF
THE UNITED STATES PATENT AND
TRADEMARK OFFICE
DEFAULT TO FINAL APPEAL MANDATE
AND
SECURITY AGREEMENT
IN REF TO, APPEAL FOR REVERSAL OF FINAL
REFUSAL OFFICE ACTION AND
REGISTRATION OF U.S. APPLICATION SERIAL NO.
85819575.

- 28 1. At the time of service I was over eighteen (18) years of age and not a party to this action.
29 2. My residence or business address is : 610 Alder Street, Mount Shasta California Republic
30 (96067).
31 3. On November 20 , 2015, I served the following documents by U.S. mail:

32 **PROOF OF SERVICE OF NOTICE OF NON-CONSENT TO THE UNITED STATES PATENT AND TRADEMARK**
33 **OFFICE VOIDING CONTRACT OFFER OF "June 17, 2015 NOTICE OF "DISMISSED" DATED 06/17/2015**
34 **AND FINAL APPEAL JUDGMENT IN FAVOR OF APPELLANT AND AFFIANT IN**
35 **Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575**

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IN REFERENCE TO:



Bio Corp's Trademark used since 1991 and claimed in use since April 15, 1992 in Registration Number 2964648. Renewal Application 85819575 filed on January 9th 2013, suspended by USPTO April 29th 2013, refused on May 13, 2013 on the basis of "likelihood of confusion" with Mir Innovations Inc.'s mark shown in Exhibit 3 and a copy of the Bio Corp prior trademark design used in its application 85819575 and the USPTO acknowledgement response attached to the 1st Presentment dated February 8, 2014 as Exhibit 2.

DOCUMENT(S) SERVED
APPLICATION SERIAL NO. 85819575

**NOTICE OF NON-CONSENT TO CONTRACT OFFER
OF "NOTICE OF ABANDONMENT" MAILING DATE 09/01/15,
VOID, UNLAWFUL AND WITHOUT EFFECT**

Notice to Agent id Notice to Principal and Notice to Principal is Notice to Agent
Delivered by Certified Mail November 20, 2015
IN REF TO, JUDGMENT VOIDING FINAL REFUSAL OFFICE ACTION AND
REGISTRATION OF U.S. APPLICATION SERIAL NO. 85819575.

From: APPLICANT
BIO CORP. a Delaware Corporation
Bio Corp's Authorized Representative
Marshall-Edward: Mikels, Bio Corp,
3053 West Craig Road, Suite E-124
North Las Vegas, NV 89032 without U.S.
Delivered by respond to
Stacey L Mack [Notary Public]
205 Mount Shasta Blvd.,
Suite 400,
Mount Shasta CA 96067

Appeal Board
C/O Dawnmarie D. Sanok
Attorney Advisor and
Denise M. DelGizzi, Program Manager
Office of the Deputy Commissioner
for Trademark Examination Policy
dawn-marie.sanok@uspto.gov
571-272-9577 (O)
**Delivered by Certified Mail 7015 0640 0006 7319
5952**

To Addressee(s)/Respondent(s)/Debtor:
DEBORAH COHN, in Official capacity and
Deborah Cohn in individual capacity
Commissioner of Trademarks United States
and assigned Director
Patent and Trademark Office
600 Dulany Street
Alexandria, VA 22314,
Delivered by Certified Mail 7015 0640 0006 7319 5969

PROOF OF SERVICE OF NOTICE OF NON-CONSENT TO THE UNITED STATES PATENT AND TRADEMARK
OFFICE VOIDING CONTRACT OFFER OF "June 17, 2015 NOTICE OF "DISMISSED" DATED 06/17/2015
AND FINAL APPEAL JUDGMENT IN FAVOR OF APPELLANT AND AFFIANT IN
Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575

1 **To Addressee(s)/Respondent(s)/Debtor:**
2 **TOBY ELLEN BULLOFF, Esquire, in Official capacity**
3 **and Toby Ellen Bulloff in individual capacity**
4 Examining Attorney for the United States
5 Patent and trademark Office
6 Law Office 119, 600 Dulany Street
7 Alexandria, VA 22314
8 (571) 270-1531
9 toby.bulloff@uspto.gov
10 **Delivered by First Class Mail**

OPPOSING PARTY

To Addressee(s)/Respondent(s)/Debtor:
Mir Innovations, Inc. CORPORATION TEXAS
GREG CLARK Executive Officer, official capacity
And, Greg Clark, individual capacity
534 CONTINENTAL DRIVE, LEWISVILLE TX
75067,
And, Greg Clark CEO Alpha Men's Edge Nutrition,
Inc.
2701 Little Elm Pkwy Ste 100 #527 Little Elm, TX
75068 and 534 CONTINENTAL DRIVE,
LEWISVILLE TX 75067,
Delivered by First Class Mail

11 4. I served the documents on the person or persons above, as follows:
12 Name of person served Respondent(s) referenced above:

13 5. Business or residence addresses where the person or persons were served as indicated above to
14 the party, opposing parties, their attorney, or other.

15 6. By causing first class U.S. Mail delivery as shown above. I caused to be enclosed the documents
16 in a sealed envelope or package addressed to the persons shown above, or in care of their
17 attorney/agent above by depositing the sealed envelope or package with the U. S Postal Service, with
18 the postage fully prepaid.

19 I declare under the penalty of perjury that the foregoing is true and correct on this 20th day of
20 Novemebr 2015.

21 Declarant: By Uriel Bramah
22 Uriel Bramah

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PROOF OF SERVICE OF NOTICE OF NON-CONSENT TO THE UNITED STATES PATENT AND TRADEMARK
OFFICE VOIDING CONTRACT OFFER OF "June 17, 2015 NOTICE OF "DISMISSED" DATED 06/17/2015
AND FINAL APPEAL JUDGMENT IN FAVOR OF APPELLANT AND AFFIANT IN
Bio Corp Trademark U. S. APPLICATION SERIAL NUMBER: 85/819575