

ESTTA Tracking number: **ESTTA507666**

Filing date: **11/27/2012**

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

Proceeding	91198483
Party	Plaintiff PsyBar LLC
Correspondence Address	JAMES KRETSCH KRETSCH AND GUST LLC 5151 EDINA INDUSTRIAL BOULEVARD, SUITE 650 MINNEAPOLIS, MN 55439 UNITED STATES jkretsch@kretschgust.com, jjossart@kretschgust.com, smeyman@kretschgust.com, nbowen@kretschgust.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Robert A. Gust
Filer's e-mail	bgust@bernicklifson.com, bdarkow@bernicklifson.com, hliebersbach@bernicklifson.com
Signature	/Robert A. Gust/
Date	11/27/2012
Attachments	Notice of Reliance.pdf ( 5 pages )(90950 bytes )

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

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PsyBar, LLC,

Opposer,

v.

David Mahony, Ph. D.,

Applicant.

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Opposition No.: 91198483

Serial No.: 85095429

**NOTICE OF RELIANCE**

PLEASE TAKE NOTICE that Plaintiff PsyBar will reply upon the Registration of its Trademark "PsyBar," and the related documents on the USPTO website, copies of which are attached hereto as Exhibits 1 and 2.

BERNICK LIFSON, P.A.

Dated: 11/27, 2012

By   
Robert A. Gust, Minn., Bar #158847  
5500 Wayzata Boulevard, Suite 1200  
Minneapolis, MN 55416  
(763) 546-1200

STATUS DOCUMENTS

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Mark: PSYBAR

PsyBar

US Serial Number: 75003269

Application Filing Date: Oct. 10, 1995

US Registration Number: 1998368

Registration Date: Sep. 03, 1996

Register: Principal

Mark Type: Service Mark

Status: The registration has been renewed.

Status Date: Nov. 13, 2006

Publication Date: Jun. 11, 1996

**Mark Information**

Mark Literal Elements: PSYBAR

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

**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: providing scientific consultation to the legal community, namely providing expert witness testimony, voir dire and scientific jury selection advice, and litigation strategy services

International Class: 042 - Primary Class

U.S Class: 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 22, 1995

Use in Commerce: Jun. 22, 1995

**Basis Information (Case Level)**

Filed Use: Yes	Currently Use: Yes	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: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

**Current Owner(s) Information**

Owner Name: PSYBAR, LLC

Owner Address: 5151 EDINA INDUSTRIAL BLVD. #675  
EDINA, MINNESOTA 55439  
UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country Where Organized: No Place Where Organized Found  
Organized:

**Attorney/Correspondence Information**

Attorney of Record - None

Correspondent



**Correspondent** DAVID FISHER  
**Name/Address:** PSYBAR LLC  
5151 EDINA INDUSTRIAL BLVD #675  
EDINA, MINNESOTA 55439  
UNITED STATES

**Phone:** 612-977-8676

**Fax:** 612-977-8650

**Correspondent e-mail:** [abond@briggs.com](mailto:abond@briggs.com)

**Correspondent e-mail** Yes  
**Authorized:**

**Domestic Representative - Not Found**

**Prosecution History**

Date	Description	Proceeding Number
Nov. 13, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	68502
Nov. 13, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Oct. 26, 2006	ASSIGNED TO PARALEGAL	68502
Aug. 23, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Aug. 23, 2006	PAPER RECEIVED	
Jun. 27, 2006	CASE FILE IN TICRS	
Jul. 02, 2003	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Apr. 22, 2002	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Feb. 19, 2002	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Sep. 03, 1996	REGISTERED-PRINCIPAL REGISTER	
Jun. 11, 1996	PUBLISHED FOR OPPOSITION	
May 10, 1996	NOTICE OF PUBLICATION	
Mar. 20, 1996	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 19, 1996	EXAMINER'S AMENDMENT MAILED	
Mar. 04, 1996	ASSIGNED TO EXAMINER	73354

**Maintenance Filings or Post Registration Information**

**Affidavit of Continued Use:** Section 8 - Accepted

**Affidavit of Incontestability:** Section 15 - Accepted

**Renewal Date:** Sep. 03, 2006

**TM Staff and Location Information**

**TM Staff Information - None**

**File Location**

**Current Location:** POST REGISTRATION

**Date in Location:** Nov. 13, 2006

**Assignment Abstract of Title Information**

**Summary**

**Total Assignments:** 1

**Registrant:** PsyBar, P.L.C.

**Conveyance Filter**

**Assignment 1 of 1**

**Conveyance:** CHANGE OF NAME

**Reel/Frame:** [2414/0417](#)

**Pages:** 4

**Date Recorded:** Dec. 26, 2001

**Supporting Documents:** [assignment-tm-2414-0417.pdf](#)

**Assignor**

**Name:** PSYBAR, P.L.C.

**Execution Date:** Jan. 31, 1997

**Legal Entity Type:** CORPORATION

**State or Country Where Organized:** MINNESOTA

**Assignee**

**Name:** PSYBAR, L.L.C.

**Legal Entity Type:** LIMITED LIABILITY COMPANY-MINNESOTA

**State or Country Where Organized:** No Place Where Organized Found  
**Organized:**

**Address:** SUITE 330  
4500 PARK GLEN ROAD  
ST. LOUIS PARK, MINNESOTA 55416

**Correspondent**

**Correspondent Name:** KRISTIN S. MELBY

**Correspondent Address:** DAVID C. FISHER  
2400 IDS CENTER  
80 SOUTH EIGHTH STREET  
MINNEAPOLIS, MINNESOTA 55402

**Domestic Representative - Not Found**

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

**United States Patent and Trademark Office**

Reg. No. 1,998,368

Registered Sep. 3, 1996

**SERVICE MARK  
PRINCIPAL REGISTER**

**PsyBar**

PSYBAR, P.L.C. (MINNESOTA CORPORATION)  
5749 NICOLLET AVENUE SOUTH  
MINNEAPOLIS, MN 554192414

FOR: PROVIDING SCIENTIFIC CONSULTA-  
TION TO THE LEGAL COMMUNITY,  
NAMELY PROVIDING EXPERT WITNESS  
TESTIMONY, VOIR DIRE AND SCIENTIFIC  
JURY SELECTION ADVICE, AND LITIGA-

TION STRATEGY SERVICES, IN CLASS 42  
(U.S. CLS. 100 AND 101).

FIRST USE 6-22-1995; IN COMMERCE  
6-22-1995.

SER. NO. 75-003,269, FILED 10-10-1995.

SIRINA TSAI, EXAMINING ATTORNEY

EXHIBIT

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