



TTAB

07-05-2001

U.S. Patent & TMO/TM Mail RptDt #11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NCH CORPORATION,
Petitioner,

ECOLAB INC,

Registrant.

Cancellation No. 31,236

Atty Docket No. 11434-014001

BOX TTAB - NO FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

TRANSMITTAL

Sir:

Transmitted herewith please find the following documents:

- (1) Application for Voluntary Surrender of Registration for Cancellation;
- (2) Certificate of Service; and
- (3) A return postcard to acknowledge receipt of these materials. Please date-stamp and return this postcard.

JUL 10 AM 9:07

Should any fees be required relating to this document, the Assistant Commissioner for Trademarks is authorized to deduct said fees from the Deposit Account of Fish & Richardson, Deposit Account No. 06-1050/11434-014001.

Very truly yours,

Stephen R. Baird

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. **EL746598757US**

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Date of Deposit July 5, 2001

Signature

Vince Defante

Typed or Printed Name of Person Signing Certificate

07-05-2001

U.S. Patent & TMO/TM Mail Rpt Dt #11

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

NCH CORPORATION,

Petitioner,

v.

ECOLAB INC.,

Registrant.

Reg. No.: 1,986,599

Mark: LEMON LIFT

Cancellation No. 31,236

**APPLICATION FOR VOLUNTARY SURRENDER
OF REGISTRATION FOR CANCELLATION**

Registrant, without the consent of Petitioner NCH Corporation, hereby applies to the United States Patent and Trademark Office for voluntary surrender of the above-identified Registration for cancellation pursuant to 15 U.S.C. § 1057(e) and 37 C.F.R. § 2.172, and requests that the Director cancel Trademark Registration No. 1,986,599 without prejudice against Registrant. The original Certificate of Registration No. 1,986,599 accompanies this application.

Please accept this voluntary surrender of registration for cancellation and forward to our counsel of record acknowledgement of its acceptance.

ECOLAB INC., Registrant

By: 

Title: Vice President & Secretary 

Date: July 3, 2001

COUNSEL FOR REGISTRANT:

Stephen R. Baird, Esq.
FISH & RICHARDSON P.C., P.A.
3300 Dain Rauscher Plaza
60 South Sixth Street
Minneapolis, MN 55402
Facsimile: (612) 335-9696

Telephone: (612) 335-5070

CERTIFICATE OF EXPRESS MAIL

I hereby certify that, on the date set forth below, the foregoing APPLICATION FOR VOLUNTARY SURRENDER OF REGISTRATION FOR CANCELLATION and the original Certificate of Trademark Registration No. 1,986,599 are being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to:

Box TTAB NO FEE
Honorable Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Signature 
Printed Name Vince Defante
Date of Signature and Mailing July 5, 2001

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the following documents:

1. Application for Voluntary Surrender of Registration for Cancellation; and
2. Certificate of Service

have been served upon the following counsel on July 5, 2001 at the following address and in the below manner:

Monty L. Ross
Locke Liddell & Sapp LLP
2200 Ross Avenue
Suite 2200
Dallas, Texas 75201-6776

VIA FEDERAL EXPRESS

Respectfully submitted,



Fish & Richardson, P.C., P.A.
3300 Dain Rauscher Plaza
60 South Sixth Street
Minneapolis, MN 55402
Telephone (612) 337-2573

Dated: July 5, 2001

The United States of America



CERTIFICATE OF REGISTRATION

This is to certify that the records of the Patent and Trademark Office show that an application was filed in said Office for registration of the Mark shown herein, a copy of said Mark and pertinent data from the Application being annexed hereto and made a part hereof,

And there having been due compliance with the requirements of the law and with the regulations prescribed by the Commissioner of Patents and Trademarks,

Upon examination, it appeared that the applicant was entitled to have said Mark registered under the Trademark Act of 1946, as amended, and the said Mark has been duly registered this day in the Patent and Trademark Office on the

PRINCIPAL REGISTER

to the registrant named herein.

This registration shall remain in force for TEN years unless sooner terminated as provided by law.



In Testimony whereof I have hereunto set my hand and caused the seal of the Patent and Trademark Office to be affixed this sixteenth day of July 1996.

Bruce Lehman

Commissioner of Patents and Trademarks

Int. Cl.: 3

Prior U.S. Cls.: 1, 4, 6, 50, 51 and 52

United States Patent and Trademark Office

Reg. No. 1,986,599

Registered July 16, 1996

**TRADEMARK
PRINCIPAL REGISTER**

LEMON LIFT

ECOLAB INC. (DELAWARE CORPORATION)
ECOLAB CENTER
370 WABASHA STREET
ST. PAUL, MN 55102

FIRST USE 9-9-1994; IN COMMERCE
9-9-1994.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "LEMON", APART FROM THE
MARK AS SHOWN.

FOR: INSTITUTIONAL/INDUSTRIAL
HEAVY DUTY KITCHEN AND BATHROOM
CLEANER AND DESTAINER WITH BLEACH,
IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

SER. NO. 74-588,340, FILED 10-13-1994.

FLORENTINA BLANDU, EXAMINING ATTOR-
NEY