

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

M7 AEROSPACE LP,

Petitioner,

Cancellation No. 92044823

-vs-

Registration No. 2,837,858

PICTOMETRY INTERNATIONAL CORP.,

Mark: VISUAL INTELLIGENCE

Respondent/Registrant.

SURRENDER OF REGISTRATION FOR CANCELLATION

Pursuant to 15 U.S.C. §1057(e) and 37 C.F.R. §2.172, Respondent/Registrant, Pictometry International Corp., hereby voluntarily surrenders for cancellation Trademark Registration No. 2,837,858 for VISUAL INTELLIGENCE (Mark) and encloses the original registration certificate No. 2,837,858. Respondent/Registrant understands that voluntary surrender of the registration without the Petitioner's consent may, under 37 C.F.R. §2.134(a), subject the Respondent/Registrant to a judgment against Respondent/Registrant in the cancellation action. Respondent/Registrant nevertheless reserves its common law rights to the Mark and to its continued use in association with the relevant goods and services.

DATED: January 17, 2006

HISCOCK & BARCLAY, LLP

Respondent/Registrant:
PICTOMETRY INTERNATIONAL CORP

By: 

Thomas R. FitzGerald
Attorney for Respondent/Registrant
2000 HSBC Plaza
Rochester, NY 14604-2404
Telephone: (585) 294-4483
Facsimile: (585) 325-5458

By: 

Title: Sr VP Administration



Certificate of Service

Pursuant to the Federal Rules of Civil Procedure, I certify that a true and correct copy of the Surrender of Registration for Cancellation was served by Express Mail (having Express Mail Airbill #ED 916012227US) on January 18, 2006, to the counsel of record.


Penny P. Clements

HISCOCK & BARCLAY, LLP

The United States of America



CERTIFICATE OF REGISTRATION PRINCIPAL REGISTER

The Mark shown in this certificate has been registered in the United States Patent and Trademark Office to the named registrant.

The records of the United States Patent and Trademark Office show that an application for registration of the Mark shown in this Certificate was filed in the Office; that the application was examined and determined to be in compliance with the requirements of the law and with the regulations prescribed by the Director of the United States Patent and Trademark Office; and that the Applicant is entitled to registration of the Mark under the Trademark Act of 1946, as Amended.

A copy of the Mark and pertinent data from the application are part of this certificate.

This registration shall remain in force for TEN (10) years, unless terminated earlier as provided by law, and subject to compliance with the provisions of Section 8 of the Trademark Act of 1946, as Amended.



Jon W. I. Dudas

Acting Director of the United States Patent and Trademark Office

Requirements for Maintaining a Federal Trademark Registration

SECTION 8: AFFIDAVIT OF CONTINUED USE

The registration shall remain in force for 10 years, except that the registration shall be canceled for failure to file an Affidavit of Continued Use under Section 8 of the Trademark Act, 15 U.S.C. §1058, upon the expiration of the following time periods:

- i) At the end of 6 years following the date of registration.
- ii) At the end of each successive 10-year period following the date of registration.

Failure to file a proper Section 8 Affidavit at the appropriate time will result in the cancellation of the registration.

SECTION 9: APPLICATION FOR RENEWAL

The registration shall remain in force for 10 years, subject to the provisions of Section 8, except that the registration shall expire for failure to file an Application for Renewal under Section 9 of the Trademark Act, 15 U.S.C. §1059, at the end of each successive 10-year period following the date of registration.

Failure to file a proper Application for Renewal at the appropriate time will result in the expiration of the registration.

No further notice or reminder of these requirements will be sent to the Registrant by the Patent and Trademark Office. It is recommended that the Registrant contact the Patent and Trademark Office approximately one year before the expiration of the time periods shown above to determine the requirements and fees for the filings required to maintain the registration.

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,837,858

Registered May 4, 2004

**SERVICE MARK
PRINCIPAL REGISTER**

VISUAL INTELLIGENCE

PICTOMETRY INTERNATIONAL CORP. (DELA-
WARE CORPORATION)
100 TOWN CENTER DRIVE, SUITE A
ROCHESTER, NY 14623

FOR: LICENSING COMPUTER SOFTWARE FOR
ACCESSING AND REPRODUCING IMAGES IN-
CLUDING IMAGES WITH GEOGRAPHIC AND

LOCATION DATA, IN CLASS 35 (U.S. CLS. 100, 101
AND 102).

FIRST USE 6-30-2002; IN COMMERCE 6-30-2002.

SER. NO. 76-457,578, FILED 10-4-2002.

ROBERT C. CLARK JR., EXAMINING ATTORNEY