

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mailed: January 29, 2007

Promptu Corporation
832 Jury Court
San Jose, CA 95112

Cancellation No. 92046995
Reg. Nos. 2529117 and 2529118

Michael A. Glenn
Glenn Patent Group
3475 Edison Way Suite L
Menlo Park, CA 94025

Agile TV Corporation

V.

Promptu Corporation

02-26-2007

U.S. Patent & TMO/TTM Mail Rpt Ct. #11

Janice D. Hyman, Paralegal Specialist:

A petition, a copy of which is attached, has been filed to cancel the above-identified registration.

Proceedings will be conducted in accordance with the Trademark Rules of Practice.

ANSWER IS DUE FORTY DAYS after the mailing date hereof. (See Trademark Rule 2.196 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that affect the rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003); Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12, 2003). Notices concerning the rules changes, as well as the *Trademark Trial and Appeal Board Manual of Procedure* (TBMP), are available at www.uspto.gov/web/offices/dcom/ttab/.

The parties are particularly referred to Trademark Rule 2.126 pertaining to the form of submissions. Paper submissions, including but not limited to exhibits and depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.

Discovery and testimony periods are set as follows:

Discovery period to open: 2/18/07

Discovery period to close: 8/17/07

30-day testimony period for party
in position of plaintiff to close: 11/15/07

30-day testimony period for party
in position of defendant to close: 1/14/08

15-day rebuttal testimony period
for plaintiff to close: 2/28/08

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

NOTE: The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the *Official Gazette* notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). The notice is available at <http://www.uspto.gov>. Interlocutory matters which the Board agrees to discuss or decide by phone conference may be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

New Developments at the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, and inter partes filings are now available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABVue at <http://ttabvue.uspto.gov>.

ESTTA Tracking number: **ESTTA120073**

Filing date: **01/17/2007**

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	AgileTV Corporation		
Entity	Corporation	Citizenship	Delaware
Address	333 Ravenswood Avenue; Building 202 Menlo Park, CA 94025 UNITED STATES		

Attorney information	Michael A. Glenn Glenn Patent Group 3475 Edison Way, Suite L Menlo Park, CA 94025 UNITED STATES ptomatters@glenn-law.com Phone:650-474-8400		
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Registrations Subject to Cancellation

Registration No	2529117	Registration date	01/15/2002
Registrant	Promptu Corporation 832 Jury Court San Jose, CA 95112 UNITED STATES		
Goods/Services Subject to Cancellation	Class 042. First Use: 1999/02/00 , First Use In Commerce: 1999/03/00 Goods/Services: providing temporary use of online, nondownloadable software for the transmission of data and information by a global computer network, publishing and managing marketing and sales information, and for developing, implementing and operating web sites and user-interfaces in connection therewith; computer consultation services; technical support services, namely, troubleshooting of computer software problems via telephone, e-mail, and in person		
Grounds for Cancellation	The registered mark has been abandoned.		
Registration No	2529118	Registration date	01/15/2002
Registrant	Promptu Corporation 832 Jury Court San Jose, CA 95112 UNITED STATES		
Goods/Services Subject to Cancellation	Class 042. First Use: 1999/02/00 , First Use In Commerce: 1999/03/00 Goods/Services: providing temporary use of online, nondownloadable software for the transmission of data and information by a global computer network, publishing and managing marketing and sales information, and for developing, implementing and operating web sites and user-interfaces in connection therewith; computer consultation services; technical support services, namely, troubleshooting of computer software problems via telephone, e-mail, and in person		
Grounds for	The registered mark has been abandoned.		

Cancellation	
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Attachments	Cancellation pleading 1-17-07.pdf (1 page)(7601 bytes)
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Signature	/MAG/
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Name	Michael A. Glenn
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Date	01/17/2007
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Applicant notes that the registrant appears to have abandoned the use of their marks, Promptu and Promptu E-Marketing.

United States P

Commissioner for

P.O. Box 1451

Alexandria, VA, 22313-1451

If Undeliverable Return in Ten Days

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE: \$300



AN EQUAL OPPORTUNITY EMPLOYER

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PROMPTU CORPORATION

832 JURY COURT

SAN JOSE, CA 95112