

ESTTA Tracking number: **ESTTA141140**

Filing date: **05/17/2007**

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

Proceeding	92047262
Party	Defendant Espressione International, Ltd. Espressione International, Ltd. 1 Regency Parade, Finchley Road London NW3 SEQ, GB
Correspondence Address	HAROLD L. MARQUIS THOMAS KAYDEN HORSTEMEYER & RISLEY LLP 100 GALLERIA PARKWAY, NW, Suite 1750 ATLANTA, GA 30339 UNITED STATES harold.marquis@tkhr.com
Submission	Motion to Join/Substitute Party
Filer's Name	Harold L. Marquis
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Signature	/HLM/
Date	05/17/2007
Attachments	00525954.pdf ( 3 pages )(162195 bytes ) 00525960.pdf ( 1 page )(32291 bytes ) 00525962.pdf ( 2 pages )(57597 bytes )

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

In the Matter of Registration Number 2,760,766  
For: ESPRESSIONE  
Registration Date: September 9, 2003

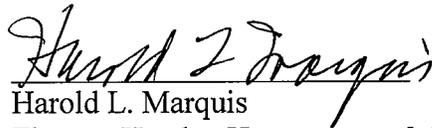
Roast of the Town, Inc.	)	
	)	
Petitioner,	)	Cancellation No. 92047262
	)	
vs.	)	
	)	
Espressione International, Ltd.,	)	
	)	
Registrant.	)	
	)	

**MOTION TO SUBSTITUTE ASSIGNEE FOR ORIGINAL REGISTRANT**

1. Registrant, Espressione International, Ltd. and the assignee of Registration No. 2,760,766, The Smith Agency, Ltd. with an address of 3888 Bluffview Pointe, NE Marietta, Ga. 30062-7115, move that The Smith Agency be substituted for Espressione International, Ltd. in this Cancellation Proceeding in accordance with TTAB Manual of Procedure §512.01.
2. Registration No. 2,760,766 was assigned to The Smith Agency, Ltd. on May 1, 2007 and recorded by the USPTO on May 3, 2007 at Reel 003534 Frame 0591. A copy of the Assignment is attached as Exhibit "A" and a copy of the Notice of Recordation by the USPTO is attached as Exhibit "B". Espressione International, Ltd. and The Smith Agency, both of whom are represented by the undersigned, consent to this substitution.

3. Counsel for the Petitioner, Heather L. Buchta, Esq., consented to this substitution in an email to the undersigned on May 16, 2007
4. It is respectfully requested that the Trademark Trial and Appeal Board grant this Motion to be effective immediately.

Respectfully submitted,



Dated: May 17, 2006

Harold L. Marquis  
Thomas Kayden Horstemeyer & Risley, LLP  
100 Galleria Parkway, NW, Ste 1750  
Atlanta, Georgia 30339  
Telephone: 770 933 9500  
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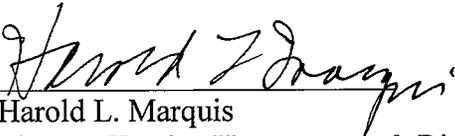
COUNSEL FOR REGISTRANT

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day caused a true and correct copy of the foregoing MOTION TO SUBSTITUTE ASSIGNEE FOR ORIGINAL REGISTRANT to be served upon Petitioner by depositing a true and correct copy of the same in the U.S. Mail, first class, postage prepaid, addressed to Petitioner's counsel of record as follows:

Heather L. Buchta, Esq.  
Quarles & Brady LLP.  
2 North Central Ave,  
One Renaissance Square  
Phoenix, Az 85004  
[tm-dept@quarles.com](mailto:tm-dept@quarles.com)

Dated: May 17, 2007

  
Harold L. Marquis  
Thomas Kayden Horstemeyer & Risley, LLP  
100 Galleria Parkway, NW, Ste 1750  
Atlanta, Georgia 30339  
Telephone: 770 933 9500  
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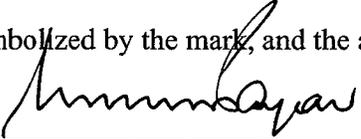
COUNSEL FOR REGISTRANT

**ASSIGNMENT OF TRADEMARK REGISTRATION**

**WHEREAS, ESPRESSIONE INTERNATIONAL, LTD.**, a United Kingdom Company, having an address of 1, Regency Parade, Finchley Road, London NW3 5EQ, (hereinafter ASSIGNOR) has adopted, used, and is using the mark *Espressione* which is registered in the United States Patent and Trademark Office, on the Principal Register, Registration No.: 2760766, dated 09/09/2003;

**WHEREAS, The Smith Agency. Ltd.**, a Georgia corporation, having an address of 3888 Bluffview Point NE, Marietta, Georgia 30062-7105 (hereinafter ASSIGNEE) is desirous of acquiring said mark and the registration thereof;

**NOW**, therefore, for good and valuable consideration, receipt of which is hereby acknowledged, said ASSIGNOR, does hereby assign unto the said ASSIGNEE all right, title and interest in and to the said mark, together with the good will of the business symbolized by the mark, and the above identified registration thereof.

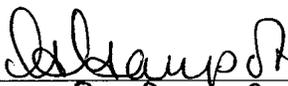
  
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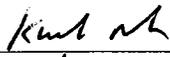
Signed: MR  
Title:

DIRECTOR, ESPRESSIONE  
INTERNATIONAL LTD

MAY 1st 2007

Date

Witness:   
Printed Name: G. GANPOT

Witness:   
Printed Name: K. MAN



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 03, 2007

PTAS

\*900075932A\*

HAROLD L. MARQUIS  
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SUITE 1750  
ATLANTA, GA 30339

\*900075932A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 05/03/2007

REEL/FRAME: 003534/0591  
NUMBER OF PAGES: 3

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL EFFECTIVE 05012007  
DOCKET NUMBER: 741912-3010

ASSIGNOR:

ESPRESSIONE INTERNATIONAL, LTD.

DOC DATE: 05/01/2007  
CITIZENSHIP: UNITED KINGDOM  
ENTITY: CORPORATION

ASSIGNEE:

THE SMITH AGENCY, LTD.  
3888 BLUFFVIEW POINT NE  
MARIETTA, GEORGIA 30062-7105

CITIZENSHIP: GEORGIA  
ENTITY: CORPORATION

APPLICATION NUMBER: 76260897  
REGISTRATION NUMBER: 2760766

FILING DATE: 05/23/2001  
ISSUE DATE: 09/09/2003

MARK: ESPRESSIONE

DRAWING TYPE: WORDS, LETTERS, OR NUMBERS IN TYPED FORM

TO:HAROLD L. MARQUIS COMPANY:100 GALLERIA PARKWAY, NW

003534/0591 PAGE 2

ASSIGNMENT SERVICES BRANCH  
PUBLIC RECORDS DIVISION

EXHIBIT B  
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