

ESTTA Tracking number: **ESTTA289535**

Filing date: **06/12/2009**

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

Proceeding	92050780
Party	Defendant Lance Wayne Reichert
Correspondence Address	Lance Wayne Reichert P.O. Box 200309 Austin, TX 79029 UNITED STATES dogduty@wescooppoop.com
Submission	Answer
Filer's Name	Brian O'Toole
Filer's e-mail	botoole@mmotlaw.com, hcrawford@mmotlaw.com
Signature	/Brian O'Toole/
Date	06/12/2009
Attachments	Respondents Original Answer (00023230).PDF ( 2 pages )(76175 bytes )

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

PERF GO GREEN, INC.,  
Petitioner

v.

LANCE WAYNE REICHERT  
Respondent

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§

CANCELLATION NO. 92050780  
REGISTRATION NOS. 2492040, 2469171

**RESPONDENT'S ORIGINAL ANSWER**

TO THE HONORABLE MEMBERS OF THE BOARD:

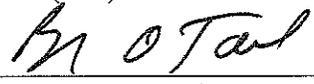
COMES NOW Respondent Lance Wayne Reichert and files his Original Answer to Plaintiff's Petition for Cancellation, and in support thereof would respectfully show:

1. Respondent denies that the marks covered by Registrations No. 2492040 and 2469171 ("the Registrations") have never been used in interstate commerce.
2. Respondent denies that the Registrations were fraudulently obtained.

WHEREFORE, premises considered, Lance Wayne Reichert prays that the Petition for Cancellation be in all things denied, and that Respondent have such other and further relief to which he may be entitled.

Respectfully submitted,

Moltz Morton O'Toole, LLP  
106 East 6<sup>th</sup> Street, Suite 700  
Austin, Texas 78701  
Telephone: (512) 439-2170  
Facsimile: (512) 439-2165

By:   
\_\_\_\_\_  
Brian J. O'Toole  
State Bar No. 15340510

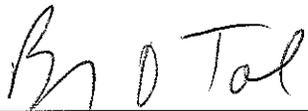
**Attorney for Respondent**

**CANCELLATION NO. 92050780  
REGISTRATION NOS. 2492040, 2469171**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the Defendant's Original Answer in Cancellation No. 92050780 (Reg. Nos. 2492040, 2469171) was served on the following counsel of record via United States First Class Mail on June 12, 2009.

David L. Davis  
David L. Davis, Esq.  
90 Washington Valley Road  
Bedminster, New Jersey 07921

  
\_\_\_\_\_  
Brian J. O'Toole

**CERTIFICATE OF MAILING**

I hereby certify that on June 12, 2009, Defendant's Original Answer in Cancellation No. 92050780 (Reg. Nos. 2492040, 2469171) was filed with the Trademark Trial and Appeal Board's Electronic System for Trademark Trials and Appeals, and is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to:

Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3514

  
\_\_\_\_\_  
Brian J. O'Toole