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Filing date: **06/08/2009**

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

Proceeding	92050920
Party	Plaintiff Intellect Technical Solutions, Inc.
Correspondence Address	William G. Giltinan Carlton Fields, P.A. 4221 W. Boy Scout Blvd, Suite 1000 Tampa, FL 33607-5780 UNITED STATES tgiltinan@carltonfields.com
Submission	Other Motions/Papers
Filer's Name	William G. Giltinan
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Signature	/William G. Giltinan/
Date	06/08/2009
Attachments	notice of service of petition for cancellation.pdf (3 pages)(100910 bytes)

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

In re: Registration No. 3,009,990
Trademark: ENTELLECT
Registered November 1, 2005

INTELLECT TECHNICAL SOLUTIONS, INC.

Petitioner,

v.

MILENA SONI,

Respondent.

Cancellation No.: 92050920

NOTICE OF SERVICE OF PETITION FOR CANCELLATION

Assistant Commissioner for Trademarks
VIA ESTTA

Petitioner, Intellect Technical Solutions, Inc., by and through undersigned counsel hereby gives notice of service of Petition for Cancellation in the above-styled case, and in support thereof states:

1. On May 6, 2009, Petitioner, pursuant to TTAB Rules 2.111 and 2.119, attempted service of the Petition for Cancellation on Respondent by U.S. First Class Mail, Certified with Return Receipt at the correspondence address of record in the Office (Article Number 7003 1010 0002 8079 5863).

2. On May 6, 2009, Petitioner also attempted service of the Petition for Cancellation on counsel for Respondent, Surit Paul Singh Soni at The Soni Law Firm, 35 N. Lake Ave, Suite 720, Pasadena, California 91101, by U.S. First Class Mail, Certified with Return-Receipt, Article

No. 7003 1010 0002 8079 5063. Attorney Soni has been in communication with Petitioner's counsel regarding the ENTELLECT registration prior to the filing of the Petition.

3. On May 28, 2009, counsel for Petitioner used the United States Postal Office website "Track & Confirm" feature to determine the status of the certified package Article No. 7003 1010 0002 8079 5863 addressed to Respondent. The website reported that the package had not been successfully delivered and notice was left for Respondent to make arrangements for pick-up or redelivery.

4. As of the date of this Notice, the website continues to report that Respondent has failed to accept delivery of the certified package with Article No. 7003 1010 0002 8079 5863.

5. Counsel for Petitioner did, however, receive a signed return-receipt for Article No. 7003 1010 0002 8079 5603, addressed to Respondent's counsel, Mr. Soni, confirming delivery of the package on May 11, 2009.

6. Petitioner respectfully submits that effective service has been made through Respondent's counsel. However, the scheduling order entered in this proceeding provides that "Plaintiff must notify the Board when service has been ineffective, within 10 days of the date of receipt of a returned service copy or the date on which plaintiff learns that service has been ineffective." Accordingly, while Petitioner believes that effective service has been made, to the extent the Board may determine that notice on the U.S.P.S. website indicating that the copy of the Petition mailed to the Respondent was not retrieved as of May 28, 2009 constitutes notice of ineffective service, Petitioner respectfully submits this notice to the Board in compliance with the scheduling order.

Registration No.: 3,009,990 Registered: November 1, 2005

Mark: ENTELLECT

Intellect Technical Solutions, Inc. v. Milena Soni

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Date: _____

6/8/09

Respectfully submitted,



William G. Giltinan
Carlton Fields, P.A.
P.O. Box 3239
Tampa, FL 33601-3239
(813) 223-7000
Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing on respondent and her counsel at the following addresses:

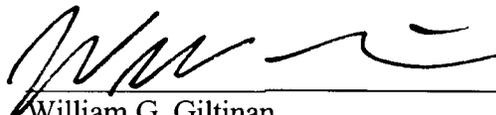
Milena Soni
972 Linda Vista Avenue
Pasadena, CA 91103

Surit Paul Singh Soni
The Soni Law Firm
35 N. Lake Ave. #720
Pasadena, CA 91101

via First Class United States Mail deposited with the United States Postal Service on 6/8/, 2009.

Dated: _____

6/8, 2009



William G. Giltinan
Carlton Fields, P.A.
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(813) 223-7000
Attorney for Petitioner