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Filing date: **05/28/2010**

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

Proceeding	92052466
Party	Plaintiff SY Enterprises, LLC
Correspondence Address	ANDREW H. PONTIOUS COLLETTE ERICKSON FARMER & O'NEILL LLP 235 PINE STREET, SUITE 1300 SAN FRANCISCO, CA 94104 UNITED STATES apontious@collette.com
Submission	Other Motions/Papers
Filer's Name	Andrew H. Pontious
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Date	05/28/2010
Attachments	Notice of Inability to Serve 052810.pdf (2 pages)(71810 bytes)

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

In Re U.S. Trademark Registration No. 3,166,765
Mark: PEARL STEAKHOUSE
Issued: October 31, 2006

SY ENTERPRISES, LLC,

Petitioner,

Cancellation No. 92052466

vs.

FRANCISCO VAZQUES, JR.,

Registrant.

NOTICE OF INABILITY TO SERVE PETITION FOR CANCELLATION

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

Dear Sir:

Pursuant to Trademark Rule 2.111(b), 37 CFR § 2.111(b), Petitioner hereby notifies the Trademark Trial and Appeal Board of Petitioner's inability to serve Registrant with a copy of the Petition for Cancellation in the above-entitled proceeding. Attempted service to the Petition for Cancellation was made pursuant to Trademark Rule 2.119(b)(5), 37 CFR § 2.119(b)(5), by overnight courier on May 14, 2010. On May 26, 2010, the service copy of the Petition for Cancellation was returned to Petitioner as undeliverable indicating that Registrant was no longer

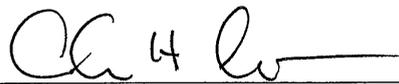
Cancellation No. 92052466
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MARK - PEARL STEAKHOUSE

at the specified address and, further, that the Registrant was believed to be deceased. No forwarding address for Registrant was made available to Petitioner.

Dated this 28th day of May, 2010.

Respectfully submitted,

COLLETTE ERICKSON FARMER &
O'NEILL LLP

By: 

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LLC

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically transmitted to the Trademark Trials and Appeal Board via the U.S. Patent and Trademark Office's Electronic System for Trademark Trials and Appeals ("ESTTA") web link <http://estta.uspto.gov/> on May 28, 2010.


Andrew H. Pontious