

ESTTA Tracking number: **ESTTA424084**

Filing date: **08/09/2011**

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	AMERI-TECH COMMUNITY MANAGEMENT, INC.		
Entity	Corporation	Citizenship	Florida
Address	24701 U.S. Highway 19 North Suite 102 Clearwater, FL 33763 UNITED STATES		

Attorney information	David R.Ellis David R.Ellis, Attorney 3233 East Bay Drive Suite 101 Largo, FL 33771 UNITED STATES ellislaw@alum.mit.edu Phone:727-531-1111
----------------------	---

Registration Subject to Cancellation

Registration No	3050760	Registration date	01/24/2006
Registrant	Ameritek Custom Homes, Inc. Suite 301 4010 Northbend Road Cincinnati, OH 45211 UNITED STATES		

Goods/Services Subject to Cancellation

Class 037. First Use: 1986/02/28 First Use In Commerce: 1986/02/28 All goods and services in the class are cancelled, namely: Custom home, villa and condominium building consultation, construction, renovation, and repair services, and land and real estate site selection and development services
--

Grounds for Cancellation

Abandonment	Trademark Act section 14
-------------	--------------------------

Attachments	Petition to Cancel AMERITEK.pdf (3 pages)(1056215 bytes) AMERITEK - Ohio DOS.pdf (1 page)(101558 bytes) AMERITEK Web page.pdf (1 page)(170226 bytes)
-------------	---

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/David R. Ellis/
-----------	------------------

Name	David R.Ellis
Date	08/09/2011

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

In re **AMERITEK**)
)
AMERI-TECH COMMUNITY)
MANAGEMENT, INC.) Registration No. 3,050,760
) Petitioner,)
) Cancellation No. _____
v.)
)
AMERITEK CUSTOM HOMES, INC.,)
) Registrant.)
_____)

PETITION TO CANCEL REGISTRATION

AMERI-TECH COMMUNITY MANAGEMENT, INC., Petitioner, 24701 U.S Highway 19 North, Suite 102 Clearwater, Florida 33763, believes that it is or will be damaged by the above-identified registration, and hereby petitions to cancel the same. As grounds therefor, Petitioner alleges that:

1. On October 16, 2009, Petitioner filed an application with the U.S. Patent and Trademark Office, Serial No. 77/850429, to register the mark **AMERI-TECH COMMUNITY MANAGEMENT, INC. LIVING YOUR DREAM** and Design for "Real estate service, namely, rental property management; Real estate services, namely, property management services for condominium associations, homeowner associations and apartment buildings; Real estate services, namely, rental, brokerage, leasing and management of commercial property,

offices and office space", in Class 36.

2. On January 26, 2010 and February 10, 2011 the Trademark Examining Attorney issued Office Actions refusing to register Petitioner's mark under Trademark Act §2(d) on the basis of Registrant's above-captioned registration of AMERITEK for "Custom home, villa and condominium building consultation, construction, renovation, and repair services, and land and real estate site selection and development services." in Class 37.

3. On information and belief, Petitioner believes that Registrant is out of business and is no using its registered mark. Among other things, Registrant has been dissolved as an active corporation by the Ohio Secretary of State and its registered trade name has been cancelled. In addition, Registrant's website is no longer active on the Internet and carries only generic information. See attachments. As a result, Petitioner believes that Registrant has abandoned its mark by discontinuing its use with no intent to resume use.

4. Petitioner believes that Registrant's continuing registration is likely to, and will, result in financial and other injury and damage to Petitioner's business by preventing Petitioner from obtaining a registration for its mark.

WHEREFORE, Petitioner submits this Petition for Cancellation and prays that Registration No. 3,050,760 be cancelled; and for such other and further relief as may be deemed by the Commissioner of Patents and Trademarks to be just and proper.

Dated: August 9, 2011

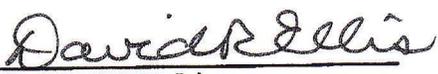
AMERI-TECH COMMUNITY
MANAGEMENT, INC.

By 
Michael G. Perez, President

By 
David R. Ellis
Attorney at Law
3233 East Bay Drive
Suite 101
Largo, Florida 33771
Tel (727)531-1111
Fax (727)531-5088
ellislaw@alum.mit.edu
USPTO Registration No. 52,860

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Petition has been served on Registrant, American Custom Homes, Inc., Suite 301, 4010 Northbend Road Cincinnati, Ohio 45211 by First Class Mail on this date, August 9, 2011.

By 
David R. Ellis

JON HUSTED
Ohio Secretary of State



[Home](#) | [About](#) | [Businesses](#) | [Voter Services](#) | [Candidates](#) | [Elections & Ballot Issues](#) | [Other Records](#) | [Better Lives](#) | [Publications](#) | [Media Center](#)

BUSINESS FILINGS



[General Information](#) [Business Search](#) [UCC Search](#) [Trade Mark / Service Mark Search](#) [Prepayment Accounts](#) [Help](#)

Corporate Search

Business Name
Business Name - Exact
Number Search
Agent/Contact Name
Prior Business Name
Church Name

Business Search by Name

Entity Number	Business Name	Type	Original Filing Date	Expiry Date	Status ▲	Business Location	County	State
RN169796	AMERITEK CUSTOM HOMES, INC.	REGISTERED TRADE NAME	03/26/1993	-	Cancelled	-	Conversion	-
709291	AMERITEK POLYMER, INC.	CORPORATION FOR PROFIT	09/22/1987	-	Cancelled	MILFORD	CLERMONT	OHIO
672925	AMERITEK CUSTOM HOMES, INC.	CORPORATION FOR PROFIT	02/28/1986	-	Dead	CINCINNATI	HAMILTON	OHIO

1 - 3

[Download Business Search Results](#) | [Print](#)

Total Number of filings found :3



Recent Posts

- [Customized Modular Homes](#)
- [Prices of Custom Modular Homes](#)
- [Interesting FAQs on Custom Modular homes](#)
- [Cheap Custom Home Plan Designs](#)
- [Finding Cheap Custom Home Plans Online](#)

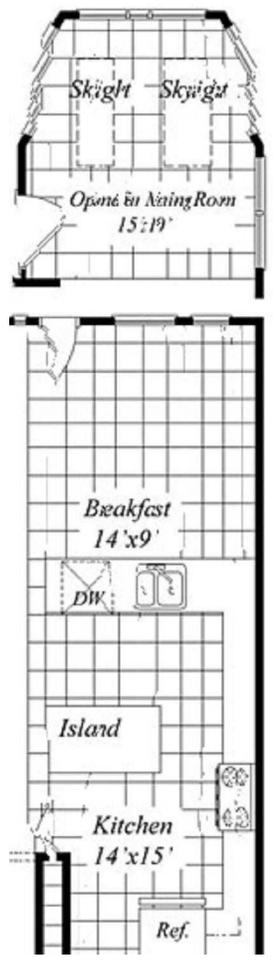
Customized Modular Homes

Written on March 27, 2011 by jessica in Custom Homes

- [Buy Jacobsen Homes Direct](#) www.Citrus-Meadowood.c
Lowest Prices Guaranteed! Factory Direct Pricing
- [Custom Modular Buildings](#) www.SouthernStructuresInc.
We offer standard / custom modular homes and light commercial building
- [ICF Distributor - Florida](#) www.carrollsbuildingmaterials.com
Delivering Insulated Concrete Forms Energy saving block (877) 822-3370
- [Manufactured Mobile Homes](#) www.JacHomes.com/MobileH
Explore Manufactured Mobile Home Floor Plans From Jacobsen Homes!

Custom-Home-Builders

AdChoices ▶



In reality, all modular homes are custom homes. They just cost half as much and are ready in nearl time. Understanding the process from start to finish will help put things in perspective. It begins wit plan, much like any other custom home project. The home buyer will sit down with the designer an customizations and alterations that the buyer wants, generally over the Internet, phone, email, or : process, which is rapidly becoming the norm, and once finished, the designer will send the customi: homes plan to the fabricator. Then, the factory will pre-fabricate the home at the site where the co begin.

During this time, the site is prepared, basements are dug, and foundations are laid and made ready the modular home. Once ready, the modular home is disassembled, shipped out to the constructor is resembled, and the finish work is done. Total time from start to finish takes 8 to 14 weeks, which makes them far less expensive that a traditional custom home but much faster as well. Time is mo

Ordering your Dream

Because this is an engineered process and starts with computerized design the results are always c the buyer insists that it not be. Materials colors, bedroom placement, and all other aspects of the d to alteration will far less impact on the final project cost. That being one of the other major advant: process, the buyer will know the finial cost in advance without worry about cost over runs. Custom are pre-fabricated are the future without question.

Every buyer gets the home they want and pays less than they would have for a tract built home coi the traditional way, and they get it faster too. Builders can produce more homes during the year ar uncertainty making them more profitable and every buyer gets a custom modular home. There is n traditional tract home will survive against this competition. Modular homes are much greener than