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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	Automation Research, Inc. dba DataVerify		
Entity	Corporation	Citizenship	Ohio
Address	250 East Town Street Columbus, OH 43215 UNITED STATES		

Attorney information	Cory M. Amron Vorys, Sater, Seymour and Pease LLP PO Box 2255 IPLaw@Vorys Columbus, OH 43216 UNITED STATES iplaw@vorys.com Phone:202.467.8800
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### Registration Subject to Cancellation

Registration No	3320499	Registration date	10/23/2007
Registrant	US Investigations Services, LLC 7799 Leesburg Pike Suite 1100 North Falls Church, VA 22043 UNITED STATES		

### Goods/Services Subject to Cancellation

Class 045. First Use: 2007/03/31 First Use In Commerce: 2007/03/31 All goods and services in the class are cancelled, namely: Investigation services, namely, providing information used to evaluate the accuracy of identity claims in employment, government and commercial settings
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### Grounds for Cancellation

Abandonment	Trademark Act section 14
Other	Mark was never used in commerce

Attachments	Petition to Cancel USIS ID VERIFY.pdf ( 5 pages )(22023 bytes )
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## 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	/Chris Ott/
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Name	Christopher M. Ott
Date	11/30/2011

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

In the matter of Trademark Registration No. 3,320,499

Mark: USIS ID VERIFY

Registration Date: October 23, 2007

AUTOMATION RESEARCH, INC.  
DBA DATAVERIFY

Petitioner,

v.

US INVESTIGATIONS SERVICES, LLC

Registrant.

Cancellation No. \_\_\_\_\_

**PETITION TO CANCEL**

Automation Research, Inc. dba DataVerify (“Petitioner”), is an Ohio corporation located at 250 East Town Street, Columbus, Ohio 43215.

To the best of Petitioner’s knowledge, US Investigations Services, LLC (“Registrant”) is a Delaware limited liability company located at 7799 Leesburg Pike, Suite 1100 North, Falls Church, Virginia 22043 and owns U.S. Trademark Registration No. 3,320,499 (the “Registration”) for USIS ID VERIFY ( “Registrant’s Mark”).

Petitioner believes that it is and will continue to be damaged by the Registration and petitions to cancel it as set forth below.

## FACTUAL BACKGROUND

1. Petitioner is a well known provider of fraud prevention and decision management tools and software (collectively, “Petitioner’s Goods and Services and Services”) and has used the mark ID VERIFY alone or with design elements (collectively, “Petitioner’s Mark”) in connection with Petitioner’s Goods and Services in the United States since at least as early as November 2005.

2. On September 30, 2005, Registrant filed Application No. 78/724,262 (the “Application”) for USIS ID VERIFY for use with *investigation services, namely, providing use of an online database to rate the likelihood of the validity of claimed identity*, based on a bona fide intent to use the mark in commerce.

3. In an October 11, 2006 Response to a Trademark Office Action, Original Applicant amended the description of services to *investigation services, namely, providing information used to evaluate the accuracy of identity claims in employment, government and commercial settings* (“Registrant’s Services”).

4. On September 5, 2007, Registrant filed a Statement of Use, declaring that USIS IDVERIFY was first used on March 31, 2007 and declaring that the mark was currently being used with the Registrant’s Services.

5. The Application matured to Registration No. 3,320,499 on October 23, 2007.

6. On April 11, 2011, Petitioner filed Application No. 85/288,536 for IDVERIFY (based on use in commerce since November 2005) and Application No.

85/288,546 for  (based on an intent to use the mark in commerce) for use with

*providing fraud detection and identity verification services in the field of mortgage loans via an online interface.*

7. In a July 11, 2011 Trademark Office Action, the Examiner cited the Registration as a bar to registering Petitioner's applications.

**COUNT I: REGISTRANT'S MARK HAS BEEN ABANDONED**

8. Upon information and belief, Registrant has discontinued use of USIS ID VERIFY with no intent to resume that use and therefore, has abandoned USIS ID VERIFY as a service mark under §45 of the Trademark Act.

**COUNT II: REGISTRANT'S MARK WAS NEVER IN USE IN COMMERCE**

9. Upon information and belief, Registrant has never made bona fide use of USIS ID VERIFY as a service mark for the services in the Registration.

\* \* \*

WHEREFORE, Petitioner prays that The Trademark Trial and Appeal Board sustain this Petition and cancel Registration No. 3,320,499 for USIS ID VERIFY.

The required fees accompany this Petition to Cancel. Please charge any additional fees to Deposit Account No. 22-0585.

Please recognize Cory M. Amron, William H. Oldach III, and Christopher M. Ott, all members of the bar of the District of Columbia, and the firm of Vorys, Sater, Seymour and Pease, LLP, as Petitioner's attorneys to prosecute this Petition to Cancel and to transact all related business in the Patent and Trademark Office.

Respectfully submitted,



Date: November 30, 2011

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Attorneys for Petitioner  
AUTOMATION RESEARCH, INC.  
DBA DATAVERIFY

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing Petition to Cancel was served on November 30, 2011, by first-class United States Mail, postage prepaid, on:

Mr. Peter L. Masanotti  
CEO and President  
US Investigations Services, LLC  
7799 Leesburg Pike  
Suite 1100 North  
Falls Church, VA 22043



Christopher M. Ott