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

Proceeding	92057518
Party	Defendant Empire IP Holdings LLC
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Submission	Response to Board Order/Inquiry
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Attachments	92057518 Response to Show Cause Order 6-8-15.pdf(32814 bytes)

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

The George Nelson Foundation,
Petitioner,

v.

Empire IP Holdings LLC,
Respondent.

Cancellation No.: 92057518

U.S. Reg. No. 3,463,818

Mark: GEORGE NELSON BY VERICHRON

Date of Registration: July 8, 2008

RESPONSE TO MAY 19, 2015 SHOW CAUSE ORDER

Respondent Empire IP Holdings LLC, by its counsel, hereby responds to the Board's Order of May 19, 2015.

By its Order, the Board required Respondent to show cause "why [this] cancellation should not be deemed to be the equivalent of a cancellation by request of Respondent without the request of the adverse party, and should not result in entry of judgment against Respondent"

In response, Respondent states that its failure to file a Section 8 affidavit was the result of inadvertence or mistake. Respondent did not intend to allow the subject registration to be cancelled under Section 8. Due to a change in counsel during the course of this cancellation proceeding, there was a miscommunication, or lack of communication, regarding the registration file and the due date for the Section 8 declaration.

Consequently, Respondent submits that it has shown good cause for the failure to file the Section 8 affidavit.

Empire IP Holdings LLC



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 8, 2015, a true copy of this paper was served upon counsel for the Petitioner at their e-mail addresses of record (by agreement), namely, to carolyn.passen@kattenlaw.com, william.dorsey@kattenlaw.com, and julia.kasper@kattenlaw.com.



John L. Welch