

TTAB

September 22, 2014

Commissioner For Trademarks
P.O. Box 1451
Alexandria, Va. 22314-1451

77026242

To Whom It May Concern:

On September 5, 2014 I sent a Petition To Review to the United States Patent and Trademark Office. It was received on September 8, 2012. Enclosed please find a copy of the USPS tracking. (exhibit 1)

I went on their website to see if the petition was received. It was received. Enclosed is a copy of the petition as they put it on the site. (exhibit #2) It does not contain all the pages I sent. My petition contained 20 pages, a cashier's check for \$100.00 and a certificate of service. (exhibit 3)

My question is, why did they only post 9 pages, when I submitted 20 pages.

I am asking you to look into this matter.

Respectfully Submitted


Albert Patterson



09-24-2014

U.S. Patent and Trademark Office #72



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Postal Product:

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\$100 insurance included
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Insured

Proof of Delivery

Signature Required

Signature Required

September 9, 2014 , 9:15 am

Delivered

ALEXANDRIA, VA 22313

September 8, 2014 , 9:27 am

Sorting Complete

ALEXANDRIA, VA 22314

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Available for Pickup

ALEXANDRIA, VA 22313

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ALEXANDRIA, VA 22314

September 8, 2014 , 3:11 am

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MERRIFIELD, VA 22081

September 8, 2014 , 1:42 am

Arrived at USPS Facility

DULLES, VA 20101

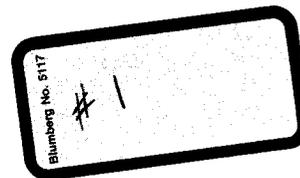
September 6, 2014 , 7:26 am

Shipping Label Created

MILWAUKEE, WI 53216

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09-31-2014

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number 571-272-8500

Albert Patterson, Petitioner

V.

77626242

World Wrestling Entertainment, Inc., Respondent

09/10/2014 SWILSON1 00000004 77626242

01 FC:6005

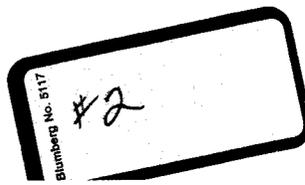
100.00 OP

PETITION FOR REVIEW

Petitioner, Albert Patterson petitions United States Patent and Trademark Office pursuant to rule 2.127(a) and res judicata and judgment Under Fed. R. Civ. P. (60(b)). Petitioner hereby requests a review of the orders made by the Trademark Trial and Appeal Board regarding the decision made on June 23, 2014 and July 30, 2014. Petitioner never received orders dated June 23, 2014 and July 30, 2014.

In response to June 23, 2014 order it is stated that Albert Patterson failed to provide proof of service of 12/18/2013 submission by March 5, 2014. This proof of service was faxed on March 9, 2014 to United States Patent and Trademark Office and stamped received by the Central Fax Center on March 10, 2014, (Exhibit #1). It was also delivered to K and L Gates c/o Attorney Christopher M. Verdini via United States Postal Service Priority Mail on March 12, 2014 signed by B. Bradley at 10:18 a.m. (Exhibit #2). It was mentioned that the Petitioner uses Office Depot for mailing and faxing purposes. It is a known fact that Office Depot contracts with United Parcel Service and United States Postal Service.

In response to the July 30, 2014 order it is stated that the Petitioner failed to file proof of service on the Respondent. United States Patent and Trial Board was served by Fax on May 16, 2014 (Exhibit #3) and by mail on July 2, 2014. Betty



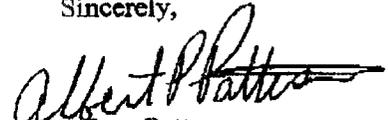
09-09-2014

The infringement claims against the WWE based on their use of 'WWF Superstars' and 'WWE Superstars' are not barred by res judicata (see ex. 2). The infringement claims against the WWE based on their use of 'WWE' and 'World Wrestling Entertainment' are not barred by judicial estoppel.

Judgment in a civil case #02-c-240 C.N Chev US district judge August 31, 2005. 'World Wrestling' 'All Stars' 'Superstars'. Also, judgment in the civil case #03-c-374 Hon. Rudolph T. Randa chief judge August 21, 2006 'World Wrestling' 'Superstars' 'WWE'.

I hope that with this new information and evidence that has been brought to light the patent and trademark office keep the case open, and a resolution finally be reached.

Sincerely,


Albert Patterson

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MAY 16 2014
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SUPERSTARS OF WRESTLING
(WWA SUPERSTARS), INC. and
ALBERT PATTERSON,

Petitioners,

v.

TITAN SPORTS, INC.,

Respondent.

EXPRESS MAIL CERTIFICATION

I hereby certify that the following attached papers:

PETITIONER'S NOTICE TO REVIEW

EXHIBITS IN SUPPORT OF PETITIONER'S MOTION TO REVIEW

DECLARATION OF ALBERT PATTERSON

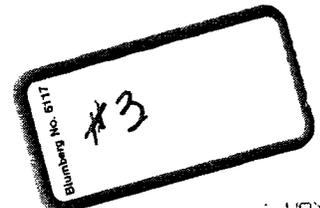
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March 12, 2014, 10:18 am

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This item was delivered at 10:18 am on Wednesday, March 12, 2014 in PITTSBURGH, PA 15222 by 10223932 P. The item was signed for by B BRADLEY.

March 12, 2014, 8:36 am

Arrived at Post Office

PITTSBURGH, PA 15219

March 12, 2014, 3:26 am

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March 11, 2014, 9:53 pm

Arrived at USPS Origin Facility

WARRENDALE, PA 15095

March 10, 2014, 11:00 pm

Departed USPS Facility

OAK CREEK, WI 53154

March 10, 2014, 8:50 pm

Arrived at USPS Origin Facility

OAK CREEK, WI 53154

March 10, 2014, 7:35 pm

Accepted at USPS Origin Sort Facility

MILWAUKEE, WI 53216

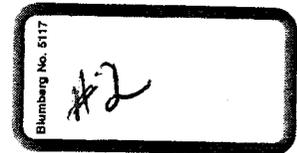
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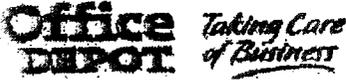
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Telephone: 4148715000

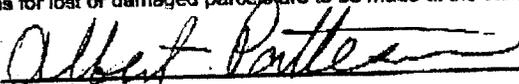
Employee: od02081

Ship Date: 05/09/2014

SKU	Description	Price	Recipient Information
 00164486000908508	Priority Mail Flat Rate Envelope	\$8.50	KardL LLP
	Insured Value Fee:	\$0.00	Christopher M Verdini
	Delivery Confirmation	\$0.00	210 sixth avenue
	Signature Confirmation	\$0.00	PITT, PA, 15222, US
	Insured Value: \$ 0.00		
	Contents: Other : Legal Document		
	Tracking #: 9410810200882110223832 Weight: 1.00 LBS Dim: 11.00 in. x 8.00 in. x 11.00 in. Delivery Date: 3/11/2014 * Weight entered manually		

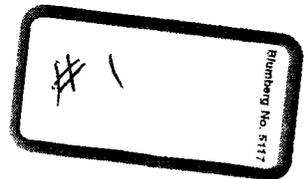
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DATE & TIME

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LOCATION

May 9, 2014 , 12:39 pm

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STAMFORD, CT 06902

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May 9, 2014 , 10:00 am

Arrived at Unit

STAMFORD, CT 06902

May 9, 2014 , 5:40 am

Departed USPS Facility

STAMFORD, CT 06910

May 9, 2014 , 5:33 am

Arrived at USPS Facility

STAMFORD, CT 06910

May 9, 2014 , 1:39 am

Departed USPS Facility

WHITE PLAINS, NY 10610

May 8, 2014 , 4:01 pm

Arrived at USPS Facility

WHITE PLAINS, NY 10610

May 6, 2014 , 11:10 am

Acceptance

MILWAUKEE, WI 53216

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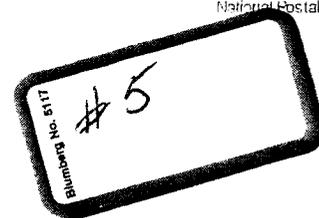
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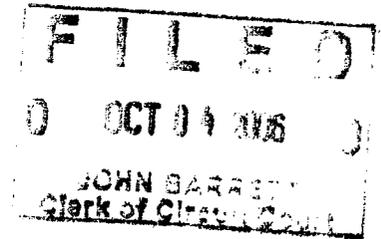
United States District Court

EASTERN DISTRICT OF WISCONSIN

JUDGMENT IN A CIVIL CASE

**ALBERT PATTERSON d/b/a
WORLD WRESTLING ASSOCIATION,
SUPERSTARS OF WRESTLING, INC.
and d/b/a W.W.A. SUPERSTARS,**

Plaintiff.



V.

CASE NUMBER: 03-C-374

**WORLD WRESTLING ENTERTAINMENT, INC.; and
GOOD HUMOR CORPORATION,
d/b/a Good Humor Breyer's Ice Cream;**

Defendants.

HON. JEAN W. DIMOTTO, BR. 7

CIVIL F

and

WORLD WRESTLING ENTERTAINMENT, INC.

Counterclaimant.

V.

**ALBERT PATTERSON, d/b/a
WORLD WRESTLING ASSOCIATION,
SUPERSTARS OF WRESTLING, INC.
and d/b/a W.W.A. SUPERSTARS,**

Counter-defendant.

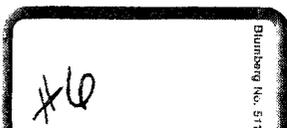
U.S. District Court
Eastern Div. of Wis.

I hereby certify that this is a true and correct copy of the original now remaining of record in my office.

COFRON B. NEDILSKY, Clerk

DATED:

[Signature] By *[Signature]* Deputy



- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the motion of defendants World Wrestling Entertainment, Inc. and Good Humor Corporation for summary judgment dismissing Albert Patterson's complaint is GRANTED.

Albert Patterson's infringement claims against the defendants based on their use of "WWF" and "World Wrestling Federation" are barred by res judicata.

Albert Patterson's infringement claims against the defendants based on their use of "WWF Superstars" and "WWE Superstars" are not barred by res judicata.

Albert Patterson's infringement claims against the defendants based on their use of "WWE" and "World Wrestling Entertainment" are not barred by judicial estoppel.

Albert Patterson's infringement claims against the defendants based on their use of "World Wrestling Federation," "WWF," and "WWF Superstars" are barred by laches.

Albert Patterson's claims arising out of the defendants' wrestling business's use of "WWF," "World Wrestling Federation," and "WWF Superstars" marks are barred by laches.

Albert Patterson's claims are fundamentally inconsistent with both resolution of the 1990 action and his course of conduct over the past 20 years. Summary judgment dismissing Albert Patterson's Lanham Act claims is granted. Albert Patterson has not proffered any admissible evidence of actual confusion.

Count Four, which alleges that the defendants misappropriated Albert Patterson's unique method of advertising involving Albert Patterson's selection and promotion of a collection of wrestlers each possessing a unique persona, fails as a matter of law.

The Court's determination that the defendants are entitled to summary judgment dismissing Albert Patterson's Lanham Act trademark infringement claims is likewise dispositive of Albert Patterson's state statutory claim. Therefore, Albert Patterson's fifth claim for state law trademark infringement is dismissed.

World Wrestling Entertainment, Inc.'s motion to voluntarily withdraw its counterclaims without prejudice is granted. World Wrestling Entertainment, Inc. may reinstate its counterclaims in the event Albert Peterson is successful in any appeal of this action.

Albert Peterson's motion seeking sanctions against World Wrestling Entertainment, Inc. and for reconsideration of the Court's order imposing sanctions is denied.

The defendants' are awarded attorney's fees and costs in the amount of \$41,210.56 which shall be paid to the defendants no later than September 5, 2006.

The defendants' supplemental petition for attorney's fees and costs is granted in the amount of \$10,097.91. Albert Patterson shall pay such amount to the defendants no later than September 5, 2006.

This action is hereby DISMISSED.

August 21, 2006

Date

SOFRON B. NEDILSKY

Clerk

s/ Linda M. Zik

(By) Deputy Clerk

Approved as to form:

s/ Rudolph T. Randa

Hon. Rudolph T. Randa, Chief Judge

August 21, 2006

Date



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93-38
929

DATE: SEPTEMBER 05, 2014

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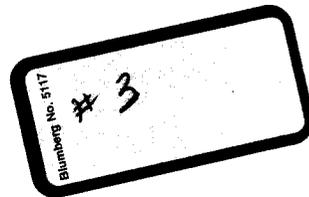
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U.S. Bank National Association
Minneapolis, MN 55480

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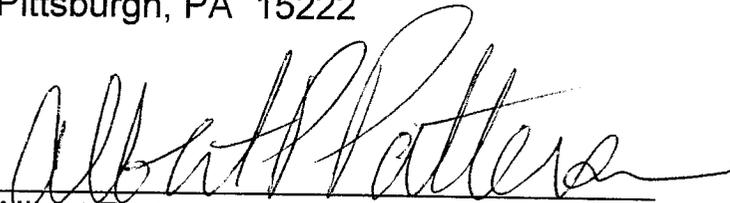
KARL AND CLARKE 20745 (01/13) 40249385



CERTIFICATE OF SERVICE

I hereby certify that I have caused to be served a true and
Correct courtesy copy of the Petition for Review on this 6th day of
September, 2014 upon the following:

K and L Gates
c/o Christopher Verdini
210 Sixth Ave
Pittsburgh, PA 15222

A handwritten signature in cursive script, reading "Albert Patterson", written over a horizontal line.

Albert Patterson
World Wrestling
Super Stars of Wrestling
W.W.A. Super Stars, Inc.

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451
General Contact Number 571-272-8500

Albert Patterson, Petitioner

V.

World Wrestling Entertainment, Inc., Respondent

PETITION FOR REVIEW

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from the K and L Gates Law Firm accepted service on May 9, 2014 at 9:54 a.m. (Exhibit #4). World Wrestling Entertainment (WWE) was served by Certified Mail on May 9, 2014 by United States Postal Service (Exhibit #5). WWE and Attorney Christopher Verdini received papers on May 9, 2014 and failed to respond. United States Patent and Trademark was served on May 16, 2014 and July 2, 2014 and failed to respond.

Petitioner, Albert Patterson is requesting a review of Judge Rudolph Randa's signed order of August 21, 2006. I am also seeking clarification of two paragraphs on page 2 of the Decision by Court. Paragraph three Albert Patterson's infringement claims against the defendants based on their use of "WWF Superstars" and "WWE Superstars" **are not barred by res judicata**. Paragraph four Albert Patterson's infringement claims against the defendants based on their use of "WWE" and "World Wrestling Entertainment" **are not barred by judicial estoppel** (Exhibit #6). Petitioner is also seeking clarification of "Surrender of Voluntary Cancellation of Registration" (Exhibit #7) and a review of Petitioner's letter dated July 2, 2014 to United States Patent and Trademark Office regarding res judicata (Exhibit #8).

For the reasons given, Petitioner requests that a review is granted.

Dated: September 6, 2014

cc: Charles G. Joyner
Staff Attorney
Office of Commissioner for Trademark
P.O. Box 1451
Alexandria, VA 22313-1451
(571) 272-8942

Respectfully Submitted,



Albert Patterson

enc. \$100 fee



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Customer Information:
Albert Patterson
Albert Patterson
3840 n sherman blvd
MILWAUKEE, WI 53208
Telephone: 4148715000

Employee: od02881

Ship Date: 03/09/2014

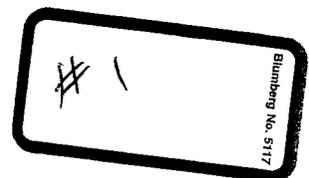
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Albert Patterson
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Product & Tracking Information

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DATE TIME	STATUS/DESCRIPTION	LOCATION
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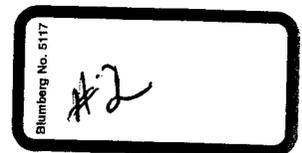
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March 12, 2014 , 8:36 am	Arrived at Post Office	PITTSBURGH, PA 15219
March 12, 2014 , 3:26 am	Departed USPS Facility	WARRENDALE, PA 15096
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March 10, 2014 , 8:50 pm	Arrived at USPS Origin Facility	OAK CREEK, WI 53154
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MAY 16 2014
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

SUPERSTARS OF WRESTLING
(WWA SUPERSTARS), INC. and
ALBERT PATTERSON,

Petitioners,

v.

TITAN SPORTS, INC.,

Respondent.

EXPRESS MAIL CERTIFICATION

I hereby certify that the following attached papers:

PETITIONER'S NOTICE TO REVIEW

EXHIBITS IN SUPPORT OF PETITIONER'S MOTION TO REVIEW

DECLARATION OF ALBERT PATTERSON

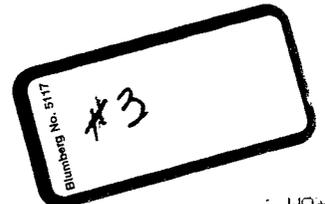
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

ALBERT PATTERSON,

Petitioner,

vs.

WORLD WRESTLING
ENTERTAINMENT, INC.

Cancellation no. 92/057,838

Reg. No. 3,871,019

Mark: WWE SUPERSTARS

Mr. Verdini's disrespect and disregard to what is truthful and just is an atrocity. Res judicata does not pertain to this case. In previous attempts to reach a settlement with the WWE res judicata was not established even then. The WWE has blatantly and unjustly used footage and other trademarked property by WWA (dba Superstars of Wrestling).

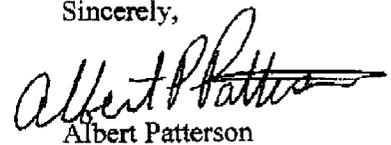
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Judgment in a civil case #02-c-240 C.N Chev US district judge August 31, 2005. 'World Wrestling' 'All Stars' 'Superstars'. Also, judgment in the civil case #03-c-374 Hon. Rudolph T. Randa chief judge August 21, 2006 'World Wrestling' 'Superstars' 'WWE'.

I hope that with this new information and evidence that has been brought to light the patent and trademark office keep the case open, and a resolution finally be reached.

Sincerely,


Albert Patterson



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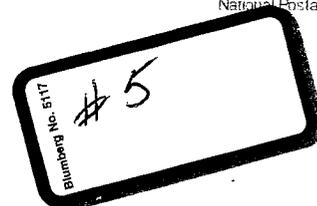
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United States District Court

EASTERN DISTRICT OF WISCONSIN

JUDGMENT IN A CIVIL CASE

**ALBERT PATTERSON d/b/a
WORLD WRESTLING ASSOCIATION,
SUPERSTARS OF WRESTLING, INC.
and d/b/a W.W.A. SUPERSTARS,**

Plaintiff,

V.

CASE NUMBER: 03-C-374

WORLD WRESTLING ENTERTAINMENT, INC.; and
**GOOD HUMOR CORPORATION,
d/b/a Good Humor Breyer's Ice Cream;**

Defendants.

and

WORLD WRESTLING ENTERTAINMENT, INC.

Counterclaimant,

V.

**ALBERT PATTERSON, d/b/a
WORLD WRESTLING ASSOCIATION,
SUPERSTARS OF WRESTLING, INC.
and d/b/a W.W.A. SUPERSTARS,**

Counter-defendant.

FILED
OCT 04 2006
JOHN BARRETT
Clerk of Circuit Court

HON. JEAN W. DIMOTTO, BR. 7
CIVIL F

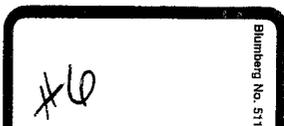
U.S. District Court
Eastern Div. of Wis.

I hereby certify that this is a
true and correct copy of the original now
remaining of record in my office.

SOFRON B. NEDILSKY, Clerk

DATED:

10/1/06 By [Signature] Deputy



- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the motion of defendants World Wrestling Entertainment, Inc. and Good Humor Corporation for summary judgment dismissing Albert Patterson's complaint is GRANTED.

Albert Patterson's infringement claims against the defendants based on their use of "WWF" and "World Wrestling Federation" are barred by res judicata.

Albert Patterson's infringement claims against the defendants based on their use of "WWF Superstars" and "WWE Superstars" are not barred by res judicata.

Albert Patterson's infringement claims against the defendants based on their use of "WWE" and "World Wrestling Entertainment" are not barred by judicial estoppel.

Albert Patterson's infringement claims against the defendants based on their use of "World Wrestling Federation," "WWF," and "WWF Superstars" are barred by laches.

Albert Patterson's claims arising out of the defendants' wrestling business's use of "WWF," "World Wrestling Federation," and "WWF Superstars" marks are barred by laches.

Albert Patterson's claims are fundamentally inconsistent with both resolution of the 1990 action and his course of conduct over the past 20 years. Summary judgment dismissing Albert Patterson's Lanham Act claims is granted. Albert Patterson has not proffered any admissible evidence of actual confusion.

Count Four, which alleges that the defendants misappropriated Albert Patterson's unique method of advertising involving Albert Patterson's selection and promotion of a collection of wrestlers each possessing a unique persona, fails as a matter of law.

The Court's determination that the defendants are entitled to summary judgment dismissing Albert Patterson's Lanham Act trademark infringement claims is likewise dispositive of Albert Patterson's state statutory claim. Therefore, Albert Patterson's fifth claim for state law trademark infringement is dismissed.

World Wrestling Entertainment, Inc.'s motion to voluntarily withdraw its counterclaims without prejudice is granted. World Wrestling Entertainment, Inc. may reinstate its counterclaims in the event Albert Peterson is successful in any appeal of this action.

Albert Peterson's motion seeking sanctions against World Wrestling Entertainment, Inc. and for reconsideration of the Court's order imposing sanctions is denied.

The defendants' are awarded attorney's fees and costs in the amount of \$41,210.56 which shall be paid to the defendants no later than September 5, 2006.

The defendants' supplemental petition for attorney's fees and costs is granted in the amount of \$10,097.91. Albert Patterson shall pay such amount to the defendants no later than September 5, 2006.

This action is hereby DISMISSED.

August 21, 2006
Date

SOFRON B. NEDILSKY
Clerk

s/ Linda M. Zik
(By) Deputy Clerk

Approved as to form:

s/ Rudolph T. Randa
Hon. Rudolph T. Randa, Chief Judge

August 21, 2006
Date



United States Patent and Trademark Office

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TTABVue. Trademark Trial and Appeal Board Inquiry System

Cancellation

Number: 92024465
Status: Terminated

Filing Date: 09/25/1995
Status Date: 03/30/2000

Defendant

Name: TITAN SPORTS, INC.

Correspondence: ROBERT D. YEAGER
 KIRKPATRICK & LOCKHART
 1500 OLIVER BUILDING
 PITTSBURGH, PA 15222

Serial #: 74278657

Registration #: 1819240

Application Status: Cancelled - Section 7(D)
Mark: WWF SUPERSTARS

Plaintiff

Name: SUPERSTARS OF WRESTLING (WWA SUPERSTARS) INC.

Correspondence: JOSEPH KROMHOLZ
 RYAN, KROMHOLZ AND MENIAN
 SUITE 1900 633 W. WISCONSIN AVE.
 MILWAUKEE, WI 53203-1918

Serial #: 74429666

Registration #: 1857015

Application Status: Section 8 and 15 - Accepted and Acknowledged
Mark: SUPERSTARS OF WRESTLING SW

Prosecution History

#	Date	History Text	Due Date
15	03/30/2000	TERMINATED	
14	08/12/1999	BD'S DECISION; DISMISSED	
13	07/23/1999	PL'S REMARKS	
12	05/11/1999	DEF'S RESP. TO PL'S MARCH/APRIL LETTER	
11	04/20/1999	PLN LETTER	
10	08/25/1997	DEF'S MOTION TO STRIKE	
9	06/20/1997	PL'S MOTION TO EXTEND	
8	04/19/1996	DEF'S MOTION FOR SANCTIONS	
7	04/01/1996	PL'S MOTION FOR SUMMARY JUDGMENT	
6	03/18/1996	DEF'S RESPONSE	
5	03/22/1996	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	
4	03/04/1996	DEF'S MOT TO DISMISS CANG.	
3	01/24/1996	PENDING, INSTITUTED	
2	01/24/1996	NOTICE SENT; ANSWER DUE (DUE DATE)	03/04/1996
1	09/25/1995	FILED AND FEE	

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TTAB

Albert P. Patterson

World Wrestling Association

WWA Superstars of Wrestling

World Wrestling Association Superstar

World Wrestling Association Superstars

3840 N. Sherman Blvd.

(414) 873- 3844

Milwaukee, WI 53216

UNITED STATES PATENT AND TRADEMARK OFFICE

Attn: trademark trial and appeal board

p.o. 1451

Alexandria, VA. 22213-1451

cancellation No. 92057838

77626242

Good afternoon,

Early last month a response was sent to both the USPTO and the WWE. The 21 day(s) that's required to hear a response has passed, and we're wondering if a decision has been met. If a decision has not been reached, we would like to undergo mediation with the other party. In addition, the *res judicata* argument that was presented we would like to have further clarification in regards to it.

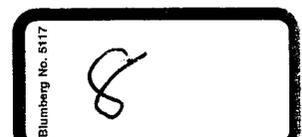
Thank you

Albert Patterson



07-02-2014

U.S. Patent and Trademark Office #72



C.C. = Charles G. Joyner

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

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(WWA SUPERSTARS), INC. and
ALBERT PATTERSON,

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TITAN SPORTS, INC.,

Respondent.

EXPRESS MAIL CERTIFICATION

I hereby certify that the following attached papers:

PETITIONER'S NOTICE TO REVIEW

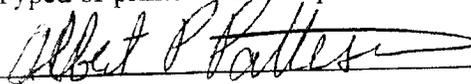
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DECLARATION OF ALBERT PATTERSON

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Albert Patterson

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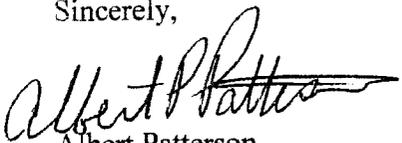
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