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Filing date: **12/20/2013**

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

Proceeding	92058364
Party	Plaintiff Hoop Culture, Inc.
Correspondence Address	M SCOTT ALPRIN ALPRIN LAW OFFICES 5 PINEHURST CIRCLE NW WASHINGTON, DC 20015 UNITED STATES trademarks@alprinlaw.com
Submission	Other Motions/Papers
Filer's Name	M. Scott Alprin
Filer's e-mail	trademarks@alprinlaw.com
Signature	/M. Scott Alprin/
Date	12/20/2013
Attachments	Hoop Culture v. Roehl - Exhibit 1 Filing PDF.pdf(9495 bytes ) Ex. 1 - GAME 7 - 2412709 - Allegation of Use and Assignment.pdf(229115 bytes )

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

HOOP CULTURE, INC.	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No.: 92058364
	)	Petitioned Mark: Reg. No. 2412709
LANCE ROEHL	)	
	)	
Registrant.	)	
	)	

**SUPPLEMENTAL FILING OF EXHIBIT 1 TO PETITION TO CANCEL**

Petitioner Hoop Culture, Inc. (“Petitioner”) filed its Petition to Cancel in this matter on November 29, 2013. The case was instituted by the Board on December 12, 2013. Undersigned counsel inadvertently forgot to attach Exhibit 1 to the Petition. Therefore, Petitioner respectfully supplements its pleading by filing Exhibit 1 herewith. It is noted that an exact replica of Exhibit 1 was sent to counsel for Registrant Lance Roehl, Mr. Jeff Faucette, on November 4, 2013. Mr. Faucette is representing Mr. Roehl in a trademark infringement lawsuit involving Reg. No. 2412709 filed in the United States District Court Northern District of California by Mr. Roehl against Petitioner on October 7, 2013. Moreover, Exhibit 1 was mailed to Mr. Roehl along with the Petition to Cancel on November 30, 2013, when the Petition to Cancel was served upon Mr. Roehl.

Respectfully submitted,

**HOOP CULTURE, INC.**

Date: December 20, 2013

/M. Scott Alprin/  
\_\_\_\_\_  
M. Scott Alprin  
Counsel for Petitioner  
Alprin Law Offices  
5 Pinehurst Circle, N.W.  
Washington, D.C. 20015  
USA  
202-659-8225 (phone)  
202-659-0441 (facsimile)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **SUPPLEMENTAL FILING OF EXHIBIT 1 TO PETITION TO CANCEL** was served on Mr. Lance Roehl by mailing said copy on December 20, 2013, via United States Postal Service First Class Mail, postage prepaid, to:

Lance Roehl  
P.O. Box 2845  
Saratoga, California 95070  
United States

/M. Scott Alprin/  
M. Scott Alprin

~TRADEMARK/SERVICE MARK ALLEGATION OF USE (Statement of Use/ Amendment to Allege Use) (15 USC § 1051(c) or (d))~

~To the Assistant Commissioner for Trademarks~



<TRADEMARK/SERVICEMARK INFORMATION>

<Mark> GAME 7  
<Serial Number> 74645716

06-26-2000

U.S. Patent & TMO/TM Mail Rpt Dt. #39

<APPLICANT INFORMATION>

<Name> Lance Roehl  
<Street> 509 Saratoga Avenue #1  
<City> Santa Clara  
<State> California  
<Country> United States  
<Zip/Postal Code> 95050

<NOTICE OF ALLOWANCE INFORMATION>

<Notice of Allowance> Yes ~Enter YES if you are filing the Allegation of Use after a Notice of Allowance has issued. If not, enter NO.

<GOODS AND/OR SERVICES INFORMATION>

<All Goods and/or Services in Application/Notice of Allowance>~The owner is using the mark in commerce on or in connection with all goods and/or services listed in the application or Notice of Allowance. If not, list in the next section the goods and/or services not in use to be deleted.

<Goods and/or Services Not in Use to be Deleted>~In the following space, list only those goods and/or services (and/or entire class(es)) appearing in the application or Notice of Allowance for which the owner is not using the mark in commerce. LEAVE THIS SPACE BLANK IF THE OWNER IS USING THE MARK ON OR IN CONNECTION WITH ALL THE GOODS AND/OR SERVICES LISTED IN THE APPLICATION OR NOTICE OF ALLOWANCE.

<USE INFORMATION>

06/30/2000 KGIBBONS 00000002 74645716

<Date of First Use Anywhere> June 16, 2000

01 FC:363

300.00 OP

<Date of First Use in Commerce> June 16, 2000

<OPTIONAL - REQUEST TO DIVIDE INFORMATION>

<Request to Divide> ~Enter YES if you are submitting a request to divide with this document. If not, enter NO.

<FEE INFORMATION>

\$100.00 x <Number of Classes> 3 = <Total Fees Paid> \$300

<SPECIMEN AND SIGNATURE INFORMATION>

~Applicant requests registration of the above-identified trademark/service mark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 USC §1051 et seq. as amended) [ ] Applicant is the owner of the mark sought to be registered, and is using the mark in commerce on or in connection with the goods/services identified above, as evidenced by the attached specimen(s) showing the mark as currently used in commerce [ ] (You MUST ATTACH A SPECIMEN showing the mark as currently used in commerce for at least one product or service in each international class covered [ ]

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC § 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true [ ]

~Signature~ Lance Roehl

<Date Signed> June 21, 2000

<Name> Lance Roehl

<Title> President

<CONTACT INFORMATION>

<Name> Lance Roehl

<Company/Firm Name> GAME 7

<Street> 509 Saratoga Avenue #1

<City> Santa Clara

<State> California

<Country> United States

<Zip/Postal Code> 95050

<Telephone Number> 408 241-0081

<Fax Number> 408 241-0071

<e-Mail Address> LRoehl134@aol.com

<CERTIFICATE OF MAILING> ~Recommended to avoid lateness due to mail delay [ ]

~I certify that the foregoing is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on~

<Date of Deposit> June 21, 2000

~Signature~ Lance Roehl

<Name> Lance Roehl

The information collected on this form allows an applicant to demonstrate that it has commenced use of the mark in commerce regulable by Congress [ ] With respect to applications filed on the basis of an intent to use the mark, responses to the request for information are required to obtain the benefit of a registration on the Principal or Supplemental Register [ ] 15 USC §1051 et seq. and 37 CFR Part 2 [ ] All information collected will be made public [ ] Gathering and providing the information will require an estimated thirteen minutes [ ] Please direct comments on the time needed to complete this form, and/or suggestions for reducing this burden to the Chief Information Officer, US Patent and Trademark Office, US Department of Commerce, Washington D.C. 20231 [ ] Please note that the PTO may not conduct or sponsor a collection of information using a form that does not display a valid OMB control number [ ] (See bottom left side of this form) [ ]

Exhibit A  
ASSIGNMENT

WHEREAS, NO FEAR, INC., a California corporation ("NO FEAR"), having a principal place of business at 2251 Faraday Avenue, Carlsbad, California 92008, has adopted, used, and is using a mark which is pending in the United States Patent and Trademark Office as Trademark Application Serial No. 74/645,716 for the mark "GAME 7" (the "G7 Mark") for wearing apparel in International Class 025; and

WHEREAS, LANCE ROEHL, an individual ("ROEHL"), having a principal place of business at 509 Saratoga Avenue, #1, Santa Clara, California 95050, is desirous of acquiring the G7 Mark and the registration thereof.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, NO FEAR does hereby assign unto ROEHL all of its right, title and interest in and to the G7 Mark, including pending Trademark Application Serial No. 74/645,716, together with the goodwill of the business symbolized by the G7 Mark in the above pending Trademark Application.

IN WITNESS WHEREOF, NO FEAR, INC. hereunto sets its hand and seal this 11<sup>th</sup> day of May, 2000.

NO FEAR, INC.,  
a California corporation

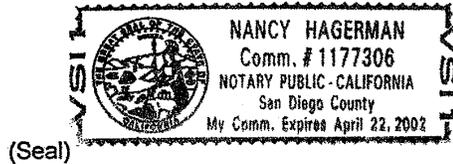
By [Signature]  
Print Name LAWRENCE C. COLLETTE  
Print Title PRESIDENT

State of California     )  
  )  
County of San Diego    )

On MAY 11, 2000 before me, NANCY HAGERMAN, a Notary Public in and for the State and County aforesaid, personally appeared LAWRENCE C. COLLETTE, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument and acknowledged the same to be his/her/their free act and deed.

WITNESS my hand and official seal.

Signature [Signature]



(Seal)

1/25/00



06-26-2000

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #39

**Lance Roehl**  
**509 Saratoga Avenue #1**  
**Santa Clara, CA 95050**  
**408 241-0081**

June 21, 2000

To Whom It May Concern:

I am concurrently filing a Statement of Use and an Assignment form. I was informed by a USPTO employee, Mr. James Wilson, to send them in to their respective departments at the same time. The purpose of this letter is to let inform you that I have done this.

Thank you,  
*Lance Roehl*  
Lance Roehl