

ESTTA Tracking number: **ESTTA601244**

Filing date: **04/29/2014**

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	Draganfly Innovations Inc.		
Entity	Corporation	Citizenship	Canada
Address	2108 Saint George Avenue Saskatoon, S7M0K7 CANADA		

Attorney information	Karen Kreider Gaunt Dinsmore & Shohl LLP 255 East Fifth Street Suite 1900 Cincinnati, OH 45202 UNITED STATES karen.gaunt@dinsmore.com, robin.vanhorn@dinsmore.com		
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Registration Subject to Cancellation

Registration No	4420034	Registration date	10/15/2013
Registrants	TechJect Inc. 817 West Peachtree St Atlanta, GA 30308 UNITED STATES Jayant Ratti 817 West Peachtree St Atlanta, GA 30308 UNITED STATES		

Goods/Services Subject to Cancellation

Class 009. First Use: 2012/08/00 First Use In Commerce: 2012/11/06 All goods and services in the class are cancelled, namely: Robotic systems consisting essentially of robots and remote controls therefor, all for personal and hobby use
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Grounds for Cancellation

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)

Marks Cited by Petitioner as Basis for Cancellation

U.S. Application No.	85789737	Application Date	11/28/2012
Registration Date	NONE	Foreign Priority	10/04/2012

		Date	
Word Mark	DRAGANFLY INNOVATIONS		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 Ground based robots and the payloads thereof for commercial, consumer and public safety use in surveillance, monitoring and transportation applications, and parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots</p> <p>Class 012. First use: First Use: 0 First Use In Commerce: 0 Unmanned aerial vehicles and ground based robots sold as a component part of the unmanned aerial vehicles, and the payloads thereof, for commercial, consumer, and public safety use in surveillance, monitoring and transportation applications, parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots all sold as a component part of the unmanned aerial vehicles</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Retail and wholesale distribution and sales of unmanned aerial vehicles, ground-based robots, platforms therefor, payloads, parts and accessories, control systems, and software therefor</p> <p>Class 040. First use: First Use: 0 First Use In Commerce: 0 Custom manufacturing of unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, and control systems therefor, for others</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0 Custom design of software for operating unmanned aerial vehicles and ground based robots, for others</p>		

U.S. Application No.	85789741	Application Date	11/28/2012
Registration Date	NONE	Foreign Priority Date	10/04/2012
Word Mark	DRAGANFLY		
Design Mark			
Description of Mark	The mark consists of the literal element "DRAGANFLY" in stylized letters.		
Goods/Services	Class 009. First use: First Use: 0 First Use In Commerce: 0		

	<p>Ground based robots and the payloads thereof for commercial, consumer and public safety use in surveillance, monitoring and transportation applications, and parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots</p> <p>Class 012. First use: First Use: 0 First Use In Commerce: 0</p> <p>Unmanned aerial vehicles and ground based robots sold as a component part of the unmanned aerial vehicles, and the payloads thereof, for commercial, consumer, and public safety use in surveillance, monitoring and transportation applications, parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots all sold as a component part of the unmanned aerial vehicles</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Retail and wholesale distribution and sales of unmanned aerial vehicles, ground-based robots, platforms therefor, payloads, parts and accessories, control systems, and software therefor</p> <p>Class 040. First use: First Use: 0 First Use In Commerce: 0</p> <p>Custom manufacturing of unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, and control systems therefor, for others</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Custom design of software for operating unmanned aerial vehicles and ground based robots, for others</p>
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Attachments	<p>85789737#TMSN.jpeg(bytes)</p> <p>85789741#TMSN.jpeg(bytes)</p> <p>ROBOT DRAGONFLY - Petition for Cancellation with Exhibits.pdf(531834 bytes)</p>
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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	/Karen Kreider Gaunt/
Name	Karen Kreider Gaunt
Date	04/29/2014

or in connection with the identified goods and/or services and also asserting claims of priority under 15 U.S.C. Section 1126(d) based on Canada application numbers 1595863 and 1595867. Petitioner's priority date under §44(d) is October 4, 2012, the filing date for Petitioner's corresponding Canadian applications upon which Petitioner's Applications are based. A copy of the TSDR reports for each mark is attached hereto respectively as Exhibits A and B. Petitioner's Application Serial Nos. 85/789,737 and 85/789,741 are referred to herein collectively as "Petitioner's Applications".

2. Petitioner's Applications have been refused registration in light of Respondents' Registration No. 4,420,034 for the mark ROBOT DRAGONFLY which was registered on October 15, 2013 for robotic systems consisting essentially of robots and remote controls therefor, all for personal and hobby use in Class 9. A copy of Respondents' registration certificate and the TSDR report for that mark are attached collectively as Exhibit C. Registration No. 4,420,034 is referred to herein as "Respondents' Registration".

3. As explained herein, Respondents' Registration was improperly granted and as such, the refusals to register Petitioner's Applications are improper, because Petitioner's Applications have seniority with earlier filing dates than the effective priority filing date of Respondents' Registration.

4. Petitioner's Applications seek registration of both of its marks for the following goods and services:

Class 9: Ground based robots and the payloads thereof for commercial, consumer and public safety use in surveillance, monitoring and transportation

applications, and parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots.

Class 12: Unmanned aerial vehicles and ground based robots sold as a component part of the unmanned aerial vehicles, and the payloads thereof, for commercial, consumer, and public safety use in surveillance, monitoring and transportation applications, parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots all sold as a component part of the unmanned aerial vehicles.

Class 35: Online retail services through direct solicitation by distributors, salespersons and sales agents directed to end users featuring unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, control systems and software therefor; and wholesale distributorships featuring unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, control systems and software therefor (as amended).

Class 40: Custom manufacturing of unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, and control systems therefor, for others.

Class 42: Custom design of software for operating unmanned aerial vehicles and ground based robots, for others.

5. In Office Actions that issued on Petitioner's Applications on March 20, 2013, Respondents' prior pending application (Serial No. 85/740728) upon which Respondents' Registration ultimately issued (hereinafter "Respondents' Application")

was cited initially against Petitioner's Applications as a potential bar to registration under Section 2(d) of the Lanham Trademark Act, 15 U.S.C. §1207.01 *et seq.*

6. Despite Petitioner's priority, however, on October 30, 2013, second Office Actions issued against Petitioner's Applications refusing registration in part, on the basis that Petitioner's applied-for marks were likely to be confused with Respondents' Registration under Section 2(d) of the Trademark Act, 15 U.S.C. §1207.01 *et seq.*

7. Respondents' Application, upon which Respondents' Registration ultimately issued, was originally filed less than 10 days prior to the priority filing date for Petitioner's Applications.

8. During the prosecution of Respondents' Application, on January 30, 2013, an Office Action issued against Respondents' Application, in part, refusing registration on the grounds that Respondents' mark was merely descriptive under Section 2(e)(1), but also refusing registration rejecting Respondents' purported specimen on the basis that the specimen submitted with Respondents' Application as filed did not show use of the mark in commerce.

9. On July 23, 2013, Respondents filed a response to the January 30, 2013 Office Action amending the filing basis of Serial No. 85/740,728 to intent-to-use under Section 1(b). Respondents did not address the descriptiveness refusal at that time. Attached hereto as Exhibit D is a printout of the TSDR document for Respondents' Application filed July 23, 2013 deleting the 1(a) filing basis and amending the filing basis to 1(b), intent to use.

10. On August 8, 2013, Respondents filed an Amendment to Allege Use and submitted a specimen on Respondents' Application. The specimen was ultimately

accepted as meeting the requirements for an Amendment to Allege Use by the Examining Attorney.

11. In response to the descriptiveness refusal and with Respondents' consent, on September 2, 2013 the Examining Attorney issued an Examiner's Amendment amending Respondents' Application to the Supplemental Register.

12. Since Respondents' Application upon which Respondents' Registration ultimately issued was amended to intent to use on July 23, 2013, and thereafter, on August 8, 2013, an acceptable Amendment to Allege Use was filed and Respondents' Application was subsequently accepted for registration on the Supplemental Register, Respondents' effective priority date is not the date the Respondents' Application was originally filed, but rather is the date Respondents' Application was in condition for registration on the Supplemental Register. See TMEP §§206-206.03, §816.04 *et seq.*

13. Therefore, August 8, 2013, the date when Respondents filed their Amendment to Allege Use, is the date upon when Respondents' Application first became sufficient for registration on the Supplemental Register and as such, August 8, 2013 is the effective priority date for Respondents' Application and resulting registration. (TMEP §§ 206 – 206.03, §816.04 *et seq.*)

14. Because Respondents' new priority date of August 8, 2013 is nearly a year **after** the priority date for Petitioner's Applications, Respondents' Registration cannot legally stand as a bar to registration of Petitioner's Applications, both of which now have earlier filing priority dates than the priority date of Respondents' Registration.

15. Furthermore, upon acceptance of Respondents' Amendment to Allege Use and the Examiner's Amendment to the Supplemental Register on September 2,

2013, the Examining Attorney for Respondents' Application was required to conduct a new search (see TMEP §206.04). Had a search been conducted, Petitioner's Applications would have been revealed as having senior, priority filing dates of October 4, 2012, and Petitioner's Applications would have served to block registration of Respondents' Application. See TMEP §1208.01.

16. On October 31, 2013, the day after the Office Actions issued citing Respondents' Registration against Petitioner's Applications and only 16 days after Respondents' Registration issued, Petitioner's counsel informed the Examining Attorneys assigned to Respondents' Application and Petitioner's Applications via email of the error in allowing Respondents' Application to register. However, nothing was done by the USPTO to correct the error. A copy of the email from Petitioner's counsel is attached as Exhibit E.

17. Continued registration of Respondents' Registration is likely to cause confusion or mistake in the minds of the public and lead the public and prospective purchasers into believing that Respondents' goods are Petitioner's goods, or are endorsed or sponsored by or otherwise affiliated or connected with Petitioner, or that Respondents' goods are associated with Petitioner, all to the damage and injury of the purchasing public and Petitioner.

18. Petitioner will be further damaged by Respondents' continued registration of ROBOT DRAGONFLY in that the registration may likely preclude registration of Petitioner's DRAGANFLY (stylized) and DRAGANFLY INNOVATIONS marks.

19. On the basis of the foregoing, because Petitioner's Applications have priority and because Petitioner has been damaged and will continue to be damaged by

continued registration of Respondents' ROBOT DRAGONFLY mark, Registration No. 4,420,034 should be cancelled.

WHEREFORE, Petitioner asks that its petition to cancel Registration No. 4,420,034 be sustained.

This 29th day of April, 2014.



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*Attorneys for Petitioner,
Dragonfly Innovations, Inc.*

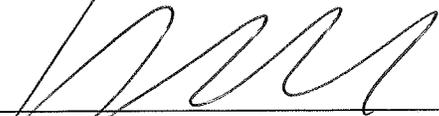
CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2014 a copy of the foregoing Petition for Cancellation was sent via first-class U.S. Mail on the following:

Jayant Ratti
817 West Peachtree Street
Atlanta, GA 30308

- and -

Techject Inc., DBA TechJect
817 West Peachtree Street
Atlanta, GA 30308



Karen Kreider Gaunt
Attorney for Petitioner

EXHIBIT A

Generated on: This page was generated by TSDR on 2014-04-24 10:14:55 EDT

Mark: DRAGANFLY INNOVATIONS

DRAGANFLY INNOVATIONS

US Serial Number: 85789737

Application Filing Date: Nov. 28, 2012

Register: Principal

Mark Type: Trademark, Service Mark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Oct. 30, 2013

Mark Information

Mark Literal Elements: DRAGANFLY INNOVATIONS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Disclaimer: "INNOVATIONS"

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1595863

Foreign Application Filing Date: Oct. 04, 2012

Foreign Application/Registration Country: CANADA

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Ground based robots and the payloads thereof for commercial, consumer and public safety use in surveillance, monitoring and transportation applications, and parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots

International Class(es): 009 - Primary Class

U.S. Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: Unmanned aerial vehicles and ground based robots sold as a component part of the unmanned aerial vehicles, and the payloads thereof, for commercial, consumer, and public safety use in surveillance, monitoring and transportation applications, parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots all sold as a component part of the unmanned aerial vehicles

International Class(es): 012 - Primary Class

U.S. Class(es): 019, 021, 023, 031, 035, 044

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: Retail and wholesale distribution and sales of unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, control systems, and software therefor

International Class(es): 035 - Primary Class

U.S. Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: Custom manufacturing of unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, and control systems therefor, for others

International Class(es): 040 - Primary Class

U.S. Class(es): 100, 103, 106

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: Custom design of software for operating unmanned aerial vehicles and ground based robots, for others

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b) 44(d)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	Amended ITU: No
Filed 44D: Yes	Currently 44D: Yes	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Draganfly Innovations Inc.
Owner Address: 2108 Saint George Avenue
Saskatoon S7M0K7
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Karen Kreider Gaunt
Attorney Primary Email Address: karen.gaunt@dinsmore.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: KAREN KREIDER GAUNT
DINSMORE & SHOHL LLP
255 E 5TH ST STE 1900
CINCINNATI, OHIO 45202-1971
UNITED STATES
Phone: 513-977-8503
Fax: 513-977-8141
Correspondent e-mail: karen.gaunt@dinsmore.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Karen Kreider Gaunt
Phone: 513-977-8503
Fax: 513-977-8141
Domestic Representative e-mail: karen.gaunt@dinsmore.com
Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Oct. 30, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Oct. 30, 2013	NON-FINAL ACTION E-MAILED	6325
Oct. 30, 2013	NON-FINAL ACTION WRITTEN	83172
Sep. 26, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	66121
Sep. 26, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	66121
Sep. 24, 2013	ASSIGNED TO LIE	66121
Sep. 20, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 20, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 20, 2013	NON-FINAL ACTION E-MAILED	6325
Mar. 20, 2013	NON-FINAL ACTION WRITTEN	83172
Mar. 19, 2013	ASSIGNED TO EXAMINER	83172
Dec. 07, 2012	NOTICE OF PSEUDO MARK MAILED	

Dec. 06, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Dec. 01, 2012 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information

TM Attorney: LEE, YAT SYE I

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: TMEG LAW OFFICE 107 - EXAMINING
ATTORNEY ASSIGNED

Date in Location: Oct. 30, 2013

EXHIBIT B

Generated on: This page was generated by TSDR on 2014-04-24 10:14:19 EDT

Mark: DRAGANFLY



US Serial Number: 85789741

Application Filing Date: Nov. 28, 2012

Register: Principal

Mark Type: Trademark, Service Mark

Status: A non-final Office action has been sent (issued) to the applicant. This is a letter from the examining attorney requiring additional information and/or making an initial refusal. The applicant must respond to this Office action. To view all documents in this file, click on the Trademark Document Retrieval link at the top of this page.

Status Date: Oct. 30, 2013

Mark Information

Mark Literal Elements: DRAGANFLY

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S)/LETTER(S)/NUMBER(S) INSTYLIZED FORM

Description of Mark: The mark consists of the literal element "DRAGANFLY" in stylized letters.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Foreign Information

Priority Claimed: Yes

Foreign Application Number: 1595867

Foreign Application Filing Date: Oct. 04, 2012

Foreign Application/Registration Country: CANADA

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Ground based robots and the payloads thereof for commercial, consumer and public safety use in surveillance, monitoring and transportation applications, and parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: Unmanned aerial vehicles and ground based robots sold as a component part of the unmanned aerial vehicles, and the payloads thereof, for commercial, consumer, and public safety use in surveillance, monitoring and transportation applications, parts and accessories therefor; electronic control systems and software for operating unmanned aerial vehicles and ground based robots all sold as a component part of the unmanned aerial vehicles

International Class(es): 012 - Primary Class

U.S Class(es): 019, 021, 023, 031, 035, 044

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: Retail and wholesale distribution and sales of unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, control systems, and software therefor

International Class(es): 035 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: Custom manufacturing of unmanned aerial vehicles, ground based robots, platforms therefor, payloads, parts and accessories, and control systems therefor, for others

International Class(es): 040 - Primary Class

U.S Class(es): 100, 103, 106

Class Status: ACTIVE

Basis: 1(b) 44(d)

For: Custom design of software for operating unmanned aerial vehicles and ground based robots, for others

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(b) 44(d)

Basis Information (Case Level)

Filed Use: No	Currently Use: No	Amended Use: No
Filed ITU: Yes	Currently ITU: Yes	Amended ITU: No
Filed 44D: Yes	Currently 44D: Yes	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Draganfly Innovations Inc.
Owner Address: 2108 Saint George Avenue
Saskatoon S7M0K7
CANADA
Legal Entity Type: CORPORATION
State or Country Where Organized: CANADA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Karen Kreider Gaunt
Attorney Primary Email Address: karen.gaunt@dinsmore.com
Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: KAREN KREIDER GAUNT
DINSMORE & SHOHL LLP
255 E 5TH ST STE 1900
CINCINNATI, OHIO 45202-1971
UNITED STATES
Phone: 513-977-8503
Fax: 513-977-8141
Correspondent e-mail: karen.gaunt@dinsmore.com
Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: Karen Kreider Gaunt
Phone: 513-977-8503
Fax: 513-977-8141
Domestic Representative e-mail: karen.gaunt@dinsmore.com
Domestic Representative e-mail Authorized: Yes

Prosecution History

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Oct. 30, 2013	NON-FINAL ACTION E-MAILED	6325
Oct. 30, 2013	NON-FINAL ACTION WRITTEN	83172
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Sep. 24, 2013	ASSIGNED TO LIE	66121
Sep. 20, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Mar. 20, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Mar. 20, 2013	NON-FINAL ACTION E-MAILED	6325
Mar. 20, 2013	NON-FINAL ACTION WRITTEN	83172
Mar. 19, 2013	ASSIGNED TO EXAMINER	83172
Dec. 07, 2012	NOTICE OF PSEUDO MARK MAILED	

Dec. 06, 2012 NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM
Dec. 01, 2012 NEW APPLICATION ENTERED IN TRAM

TM Staff and Location Information

TM Staff Information

TM Attorney: LEE, YAT SYE I

Law Office Assigned: LAW OFFICE 107

File Location

Current Location: TMEG LAW OFFICE 107 - EXAMINING
ATTORNEY ASSIGNED

Date in Location: Oct. 30, 2013

EXHIBIT C

United States of America

United States Patent and Trademark Office

ROBOT DRAGONFLY

Reg. No. 4,420,034

Registered Oct. 15, 2013

Int. Cl.: 9

TRADEMARK

SUPPLEMENTAL REGISTER

TECHJECT INC. (GEORGIA CORPORATION), DBA TECHJECT,
817 WEST PEACHTREE ST
ATLANTA, GA 30308 AND

JAYANT RATTI (INDIA INDIVIDUAL)
817 WEST PEACHTREE ST
ATLANTA, GA 30308

FOR: ROBOTIC SYSTEMS CONSISTING ESSENTIALLY OF ROBOTS AND REMOTE CONTROLS THEREFOR, ALL FOR PERSONAL AND HOBBY USE, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 8-0-2012; IN COMMERCE 11-6-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ROBOT", APART FROM THE MARK AS SHOWN.

SER. NO. 85-740,728, FILED P.R. 9-27-2012; AM. S.R. 8-29-2013.

JOHN E. MICHOS, EXAMINING ATTORNEY



Susan Stewart Lee
Deputy Director of the United States Patent and Trademark Office

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Mark: ROBOT DRAGONFLY

ROBOT DRAGONFLY

US Serial Number: 85740728 **Application Filing Date:** Sep. 27, 2012
US Registration Number: 4420034 **Registration Date:** Oct. 15, 2013
Register: Supplemental
Mark Type: Trademark
Date Amended to Current Register: Aug. 29, 2013
Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.
Status Date: Oct. 15, 2013

Mark Information

Mark Literal Elements: ROBOT DRAGONFLY
Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type: 4 - STANDARD CHARACTER MARK
Disclaimer: "ROBOT"

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Robotic systems consisting essentially of robots and remote controls therefor, all for personal and hobby use

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 2012

Use in Commerce: Nov. 06, 2012

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: Yes
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: TechJect Inc.
DBA, AKA, Formerly: DBA TechJect
Owner Address: 817 West Peachtree St
Atlanta, GEORGIA 30308
UNITED STATES
Legal Entity Type: CORPORATION **State or Country Where Organized:** GEORGIA
Owner Name: Jayant Ratti
Owner Address: 817 West Peachtree St
Atlanta, GEORGIA 30308
UNITED STATES
Legal Entity Type: INDIVIDUAL **Citizenship:** INDIA

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Jason R. Lee

Attorney Primary Email docket@llapc.com
Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent Name/Address: TechJect Inc.
817 West Peachtree St
Atlanta, GEORGIA 30308
UNITED STATES

Phone: 4043122644

Correspondent e-mail: jayantratti@gmail.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 25, 2014	REGISTERED - SEC. 7 REQUEST ABANDONED	74886
Mar. 25, 2014	REVIEW OF CORRESPONDENCE COMPLETE - CERTIFICATE OF REG MAILED	74886
Mar. 22, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Mar. 07, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 07, 2014	TEAS SECTION 7 REQUEST RECEIVED	
Nov. 06, 2013	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 15, 2013	REGISTERED-SUPPLEMENTAL REGISTER	
Sep. 06, 2013	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Sep. 03, 2013	APPROVED FOR REGISTRATION SUPPLEMENTAL REGISTER	
Sep. 03, 2013	NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE E-MAILED	
Sep. 02, 2013	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 02, 2013	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 02, 2013	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 02, 2013	EXAMINERS AMENDMENT -WRITTEN	67443
Sep. 02, 2013	USE AMENDMENT ACCEPTED	67443
Aug. 09, 2013	AMENDMENT TO USE PROCESSING COMPLETE	88889
Aug. 09, 2013	USE AMENDMENT FILED	88889
Aug. 08, 2013	TEAS AMENDMENT OF USE RECEIVED	
Aug. 02, 2013	TEAS/EMAIL CORRESPONDENCE ENTERED	70138
Aug. 02, 2013	CORRESPONDENCE RECEIVED IN LAW OFFICE	70138
Jul. 25, 2013	ASSIGNED TO LIE	70138
Jul. 23, 2013	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jan. 30, 2013	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Jan. 30, 2013	NON-FINAL ACTION E-MAILED	6325
Jan. 30, 2013	NON-FINAL ACTION WRITTEN	67443
Jan. 25, 2013	ASSIGNED TO EXAMINER	67443
Oct. 03, 2012	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Mar. 25, 2014

EXHIBIT D

PTO Form 1957 (Rev 9/2005)
OMB No. 0651-0050 (Exp. 05/31/2014)

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85740728
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	009
DESCRIPTION	
Robotic systems, technologies and solutions for remote control or autonomous operation	
FILING BASIS	Section 1(a)
FIRST USE ANYWHERE DATE	At least as early as 00/00/2012
FIRST USE IN COMMERCE DATE	At least as early as 00/00/2012
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	009
TRACKED TEXT DESCRIPTION	
Robotic systems, technologies and solutions for remote control or autonomous operation; Robotic systems consisting essentially of robots and remote controls therefor, all for personal and hobby use	
FINAL DESCRIPTION	
Robotic systems consisting essentially of robots and remote controls therefor, all for personal and hobby use	
FILING BASIS	Section 1(b)
NEW ATTORNEY SECTION	
NAME	Jason R. Lee
FIRM NAME	Lee, Lee & Associates, P.C.
STREET	2531 Jackson Rd., Ste# 234
CITY	Ann Arbor
STATE	Michigan

ZIP/POSTAL CODE	48103
COUNTRY	United States
PHONE	8664002507
FAX	800-689-7978
EMAIL	docket@llapc.com
AUTHORIZED EMAIL COMMUNICATION	Yes
CORRESPONDENCE SECTION	
ORIGINAL ADDRESS	TECHJECT INC. TECHJECT INC. 2914 PEEK RD. NW 2914 W. PEEK RD. NW ATLANTA Georgia (GA) US 30318
NEW CORRESPONDENCE SECTION	
NAME	Jason R. Lee
FIRM NAME	TechJect Inc. DBA TechJect
STREET	2914 Peek Rd NW
CITY	Atlanta
STATE	Georgia
ZIP/POSTAL CODE	30318
COUNTRY	United States
PHONE	8664002507
FAX	800-689-7978
EMAIL	docket@llapc.com
AUTHORIZED EMAIL COMMUNICATION	Yes
SIGNATURE SECTION	
DECLARATION SIGNATURE	/Jason R. Lee/
SIGNATORY'S NAME	Jason R. Lee
SIGNATORY'S POSITION	Attorney of Record, MI Bar Member
SIGNATORY'S PHONE NUMBER	Attorney of record, MI bar member

DATE SIGNED	07/23/2013
DECLARATION SIGNATURE	/Jason R. Lee/
SIGNATORY'S NAME	Jason R. Lee
SIGNATORY'S POSITION	Attorney of record, MI bar member
DATE SIGNED	07/23/2013
RESPONSE SIGNATURE	/Jason R. Lee/
SIGNATORY'S NAME	Jason R. Lee
SIGNATORY'S POSITION	Attorney of Record, MI bar member
DATE SIGNED	07/23/2013
AUTHORIZED SIGNATORY	YES
RESPONSE SIGNATURE	/Jason R. Lee/
SIGNATORY'S NAME	Jason R. Lee
SIGNATORY'S POSITION	Attorney of Record, MI bar member
DATE SIGNED	07/23/2013
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Tue Jul 23 13:26:05 EDT 2013
TEAS STAMP	USPTO/ROA-68.188.190.63-2 0130723132605436455-85740 728-500b122c345adc1113e4a 63c4621669f6d4c81c46b6e75 af7b48136f21d3d98b4-N/A-N /A-20130723123036096235

PTO Form 1957 (Rev 9/2005)

OMB No. 0651-0050 (Exp. 05/31/2014)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **85740728** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 009 for Robotic systems, technologies and solutions for remote control or autonomous operation

Original Filing Basis:

Filing Basis: Section 1(a), Use in Commerce: The applicant is using the mark in commerce, or the applicant's related company or licensee is using the mark in commerce, on or in connection with the identified goods and/or services. 15 U.S.C. Section 1051(a), as amended. The mark was first used at least as early as 00/00/2012 and first used in commerce at least as early as 00/00/2012, and is now in use in such commerce.

Proposed:

Tracked Text Description: ~~Robotic systems, technologies and solutions for remote control or autonomous operation;~~ Robotic systems consisting essentially of robots and remote controls therefor, all for personal and hobby use

Class 009 for Robotic systems consisting essentially of robots and remote controls therefor, all for personal and hobby use

Deleted Filing Basis: 1(a)

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

ATTORNEY ADDRESS

Applicant proposes to amend the following:

Proposed:

Jason R. Lee of Lee, Lee & Associates, P.C., having an address of
2531 Jackson Rd., Ste# 234 Ann Arbor, Michigan 48103

United States

docket@llapc.com

8664002507

800-689-7978

CORRESPONDENCE ADDRESS CHANGE

Applicant proposes to amend the following:

Current:

TECHJECT INC.

TECHJECT INC.

2914 PEEK RD. NW

2914 W. PEEK RD. NW

ATLANTA

Georgia (GA)

US

30318

Proposed:

Jason R. Lee of TechJect Inc. DBA TechJect, having an address of
2914 Peek Rd NW Atlanta, Georgia 30318

United States

docket@llapc.com

8664002507

800-689-7978

SIGNATURE(S)**Declaration Signature**

If the applicant is seeking registration under Section 1(b) and/or Section 44 of the Trademark Act, the applicant has had a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. 37 C.F.R. Secs. 2.34(a)(2)(i); 2.34 (a)(3)(i); and 2.34(a)(4)(ii); and/or the applicant has had a bona fide intention to exercise legitimate control over the use of the mark in commerce by its members. 37 C.F. R. Sec. 2.44. If the applicant is seeking registration under Section 1(a) of the Trademark Act, the mark was in use in commerce on or in connection with the goods and/or services listed in the application as of the application filing date or as of the date of any submitted allegation of use. 37 C.F.R. Secs. 2.34(a)(1)(i); and/or the applicant has exercised legitimate control over the use of the mark in commerce by its members. 37 C.F.R. Sec. 2.44. The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; that if the original application was submitted unsigned, that all statements in the original application and this submission made of the declaration signer's knowledge are true; and all statements in the original application and this submission made on information and belief are believed to be true.

Signature: /Jason R. Lee/ Date: 07/23/2013

Signatory's Name: Jason R. Lee

Signatory's Position: Attorney of Record, MI Bar Member

Signatory's Phone Number: Attorney of record, MI bar member

Signature: /Jason R. Lee/ Date: 07/23/2013

Signatory's Name: Jason R. Lee

Signatory's Position: Attorney of record, MI bar member

Response Signature

Signature: /Jason R. Lee/ Date: 07/23/2013

Signatory's Name: Jason R. Lee

Signatory's Position: Attorney of Record, MI bar member

Response Signature

Signature: /Jason R. Lee/ Date: 07/23/2013

Signatory's Name: Jason R. Lee

Signatory's Position: Attorney of Record, MI bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal

territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: Jason R. Lee
TechJect Inc. DBA TechJect
2914 Peek Rd NW
Atlanta, Georgia 30318

Serial Number: 85740728

Internet Transmission Date: Tue Jul 23 13:26:05 EDT 2013

TEAS Stamp: USPTO/ROA-68.188.190.63-2013072313260543

6455-85740728-500b122c345adc1113e4a63c46

21669f6d4c81c46b6e75af7b48136f21d3d98b4-

N/A-N/A-20130723123036096235

EXHIBIT E

Gaunt, Karen

From: Gaunt, Karen
Sent: Thursday, October 31, 2013 4:33 PM
To: 'yatsye.lee@uspto.gov'; 'john.michos@uspto.gov'; 'TrademarkAssistanceCenter@uspto.gov'
Cc: VanHorn, Robin; Pinner, Sonya
Subject: Office Actions Issued on Trademark Application Serial Nos. 85/789,737 and 85/789,741
Attachments: U.S. TRADEMARK APPLICATION NO. 85789741 - DRAGANFLY - N/A; U.S. TRADEMARK APPLICATION NO. 85789737 - DRAGANFLY INNOVATIONS - N/A; 85740728[1].pdf; 85740728[1].pdf; 85740728[1].pdf

Dear Examiners Lee, Michos and USPTO Post Registration Division,

I am writing with respect to the Office Actions issued October 30th on the above identified applications by Draganfly Innovations to register the marks DRAGANFLY INNOVATIONS and DRAGANFLY (Application Serial Nos. 85/789,737 and 85/789,741).

These applications have been refused registration in light of registration of the mark ROBOT DRAGANFLY, Registration No. 4,420,034 registered on October 15, 2013. However, as explained herein, this registration has been improperly granted and as such, the refusal of Serial Nos. 85/789,737 and 85/789,741 is improper, since Application Serial Nos. 85/789,737 and 85/789,741 have seniority with earlier filing dates than the effective priority filing date of Registration No. 4,420,034.

More specifically, as noted in the 3 pdf documents attached above, while the application upon which Registration No. 4,420,034 issued was originally filed approximately 2 months prior to the filing dates for Application Serial Nos. 85/789,737 and 85/789,741 (hence the citation of this mark as a pending application in earlier Office Actions) Serial No. 85/740,728 upon which Registration No. 4,420,034 issued was amended to the Supplemental Register on September 2, 2013 after the applicant filed an acceptable Amendment to Allege Use on August 8, 2013. Accordingly, August 8, 2013 is the date upon which Application Serial No 85/740,728 first became sufficient for registration on the Supplemental Register and as such, August 8, 2013 is the effective priority date for Serial No. 85/740,728/Registration No. 4,420,034.

Therefore, under the provisions in the TMEP (§§ 206 – 206.03, §816.04 and others) the effective filing date for this application is August 8, 2013, the date the applicant filed an acceptable Amendment to Allege Use and the date that this subject application first became sufficient for registration on the Supplemental Register. This priority date of August 8, 2013 is nearly a year *after* the priority date for Application Serial Nos. 85/789,737 and 85,789,741 and as such, this registration cannot legally stand as a bar to registration of Application Serial Nos. 85/789,737 and 85,789,741 with earlier filing priority.

Furthermore, upon acceptance of the AAU and the Examiner's Amendment to the Supplemental Register, the Examining Attorney was required to conduct a new search (see TMEP §206.04). Had a new search been conducted, the herein refused Draganfly Innovations Application Serial Nos. 85/789,737 and 85/789,741 with the now senior, priority filing dates of November 28, 2012 would have served to block registration of Application Serial No. 85/740,728 since at that point, Application Serial Nos. 85/789,737 and 85/789,741 with filing dates of November 28, 2012 had had indisputable priority over the effective priority date of August 8, 2013 for Serial No. 85/740,728. (See TMEP §1208.01).

The Applicant can most certainly file formal Office Action responses to the improperly granted refusals, although it seems that it may not be appropriate for the Applicant to bear the burden of correcting this clear error by the Trademark Office. As such, please advise as to the best way to correct this mistake.

Thank you in advance for your time and assistance. Please do not hesitate to contact the undersigned if there are any questions.

Best regards,
Karen Gaunt

Dinsmôre

Karen K. Gaunt

Partner

Director: Trademark, Copyright and Brand Strategies Group

Dinsmore & Shohl LLP • Legal Counsel

255 East Fifth Street

Suite 1900

Cincinnati, OH 45202

T (513) 977-8503 • F (513) 977-8141

E karen.gaunt@dinsmore.com • dinsmore.com

From: ECom107 [ECom1073@USPTO.GOV]
Sent: Wednesday, October 30, 2013 2:48 PM
To: Gaunt, Karen
Subject: U.S. TRADEMARK APPLICATION NO. 85789741 - DRAGANFLY - N/A

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON 10/30/2013 FOR U.S. APPLICATION SERIAL NO. 85789741

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from 10/30/2013 (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail

trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay “fees.”

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the “United States Patent and Trademark Office” in Alexandria, VA; or sent by e-mail from the domain “@uspto.gov.” For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

From: ECom107 [ECom1073@USPTO.GOV]
Sent: Wednesday, October 30, 2013 2:45 PM
To: Gaunt, Karen
Subject: U.S. TRADEMARK APPLICATION NO. 85789737 - DRAGANFLY INNOVATIONS - N/A

UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)

**IMPORTANT NOTICE REGARDING YOUR
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED
ON 10/30/2013 FOR U.S. APPLICATION SERIAL NO. 85789737

Please follow the instructions below:

(1) TO READ THE LETTER: Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on “Documents.”

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

(2) TIMELY RESPONSE IS REQUIRED: Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from 10/30/2013 (or sooner if specified in the Office action). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

Do NOT hit “Reply” to this e-mail notification, or otherwise e-mail your response because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at http://www.uspto.gov/trademarks/teas/response_forms.jsp.

(3) QUESTIONS: For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail TSDR@uspto.gov.

WARNING

Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application. For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION: Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail

trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay “fees.”

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the “United States Patent and Trademark Office” in Alexandria, VA; or sent by e-mail from the domain “@uspto.gov.” For more information on how to handle private company solicitations, see http://www.uspto.gov/trademarks/solicitation_warnings.jsp.

From: TMOfficialNotices@USPTO.GOV
Sent: Tuesday, September 3, 2013 00:10 AM
To: docket@llapc.com
Subject: Trademark Serial Number 85740728 : Official USPTO Notice of Acceptance of Amendment to Allege Use

NOTICE OF ACCEPTANCE OF AMENDMENT TO ALLEGE USE

Serial Number: 85740728
Mark: ROBOT DRAGONFLY(STANDARD CHARACTER MARK)
Owner: TechJect Inc.
Docket/Reference Number:

The USPTO has accepted the Amendment to Allege Use (AAU) filed for the trademark application identified above as meeting the minimum filing requirements of 37 C.F.R. §2.76(e). The application was returned to the examining attorney for a substantive review of the AAU, which may result in the issuance of a refusal and/or additional requirement(s).

WARNING: The filing of the AAU does **not** relieve the applicant of the duty to file a response to any outstanding Office action or to take any other action required in the case, including filing a Notice of Appeal.

For further information, including information on filing and maintenance requirements for U.S. trademark applications and registrations and required fees, please consult the USPTO website at <http://www.uspto.gov/> or call the Trademark Assistance Center at 1-800-786-9199.

To check the status of the application, go to <http://tarr.uspto.gov/>.

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=85740728>.

NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

United States of America

United States Patent and Trademark Office

ROBOT DRAGONFLY

Reg. No. 4,420,034

Registered Oct. 15, 2013

Int. Cl.: 9

TRADEMARK

SUPPLEMENTAL REGISTER

TECHJECT INC. (GEORGIA CORPORATION), DBA TECHJECT,
817 WEST PEACHTREE ST
ATLANTA, GA 30308 AND

JAYANT RATTI (INDIA INDIVIDUAL)
817 WEST PEACHTREE ST
ATLANTA, GA 30308

FOR: ROBOTIC SYSTEMS CONSISTING ESSENTIALLY OF ROBOTS AND REMOTE
CONTROLS THEREFOR, ALL FOR PERSONAL AND HOBBY USE, IN CLASS 9 (U.S. CLS.
21, 23, 26, 36 AND 38).

FIRST USE 8-0-2012; IN COMMERCE 11-6-2012.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "ROBOT", APART FROM THE
MARK AS SHOWN.

SER. NO. 85-740,728, FILED P.R. 9-27-2012; AM. S.R. 8-29-2013.

JOHN E. MICHOS, EXAMINING ATTORNEY



Lucia Stinet Keu

Deputy Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

To: TechJect Inc. (docket@llapc.com)
Subject: U.S. TRADEMARK APPLICATION NO. 85740728 - ROBOT
DRAGONFLY - N/A
Sent: 9/2/2013 6:44:55 PM
Sent As: ECOM105@USPTO.GOV
Attachments:

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

U.S. APPLICATION SERIAL NO. 85740728

MARK: ROBOT DRAGONFLY

85740728

CORRESPONDENT ADDRESS:

Jason R. Lee
TechJect Inc. DBA TechJect
2914 Peek Rd NW
Atlanta GA 30318

GENERAL TRADEMARK INFO
<http://www.uspto.gov/trademark>

APPLICANT: TechJect Inc.

CORRESPONDENT'S REFERENCE/DOCKET NO. :

N/A

CORRESPONDENT E-MAIL ADDRESS:

docket@llapc.com

EXAMINER'S AMENDMENT

ISSUE/MAILING DATE: 9/2/2013

DATABASE SEARCH: The trademark examining attorney has searched the USPTO's database of registered and pending marks and has found no conflicting marks that would bar registration under Trademark Act Section 2(d). TMEP §704.02; *see* 15 U.S.C. §1052(d).

APPLICATION HAS BEEN AMENDED: In accordance with the authorization granted by Jason R. Lee on 8/29/13, the trademark examining attorney has amended the application as indicated below. Please advise the undersigned immediately of any objections. Otherwise, no response is necessary. TMEP §707.

Any amendments to the identification of goods and/or services may clarify or limit the goods and/or services, but may not add to or broaden the scope of the goods and/or services. 37 C.F.R. §2.71(a); *see* TMEP §§1402.06 *et seq.*

The mark has been amended to the Supplemental Register.

No claim is made to the exclusive right to use "ROBOT" apart from the mark as shown.

/John E. Michos/
Trademark Attorney
Law Office 105
571 272-9197
john.michos@uspto.gov

PERIODICALLY CHECK THE STATUS OF THE APPLICATION: To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at TrademarkAssistanceCenter@uspto.gov or call 1-800-786-9199. For more information on checking status, see <http://www.uspto.gov/trademarks/process/status/>.

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