

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

PAUL WARNER and)
BROTHERS OF THE WHEEL M.C.,)
EXECUTIVE COUNCIL, INC.)
Petitioner,)
)
v.)
)
GERALD R. MOLLOHAN and)
BROTHERS OF THE WHEEL)
Respondent)

85509063

Cancellation No.: 92059164

Mark: BROTHERS OF THE WHEEL

Registration No.: 4299480

Date Registered: March 05, 2013

**RESPONDENT’S MOTION TO DISMISS THE PETITION FOR
CANCELLATION**

COMES NOW the Respondent’s Gerald R. Mollohan, Pro Se *et al* owner of Trademark Registration Number 4299480 for “BROTHERS OF THE WHEEL” Classification 026 to hereby notify the Board (TTAB) of his “MOTION TO DISMISS THE PETITION FOR CANCELLATION” pursuant to Trademark Rule 2.126 and other Trademark Manual of Board Procedures (“TBMP”) and applicable authorities.

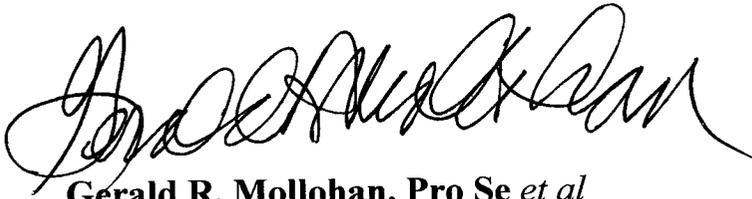
Pursuant to 309.02(c)(2) “SERVICE OF PETITION ON RESPONDENT, The Petitioner failed to properly serve the Respondent and he failed to include per 37 CFR § 2.111 **Filing petition for cancellation** “THE PETITION MUST INCLUDE PROOF OF SERVICE ON THE OWNER OF RECORD FOR THE REGISTRATION, OR THE OWNER’S DOMESTIC REPRESENTATIVE OF RECORD, AT THE CORRESPONDENCE ADDRESS OF RECORD IN THE OFFICE, AS DETAILED IN §§ 2.111(b) and 2.119.



05-14-2014

Upon information and belief, Respondents' state that Petitioner Paul Warner, having no qualifications or certification before this honorable Trial Board, is not qualified according to the rules, to represent a corporation in these proceedings and in Respondents motion to dismiss this petition for cancellation. Warner's own motion to allow him to represent a corporation points out that a corporation is a separate person in the eyes of the law. To do so is a clear violation of West Virginia law, Federal Rules of Civil Procedure and all rules of this most Honorable Court.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Gerald R. Mollohan". The signature is fluid and cursive, with a large initial "G" and "M".

Gerald R. Mollohan, Pro Se et al

RESPONDENT

P.O. Box 507

St.Albans, West Virginia 25177-0507

United States of America

CERTIFICATE OF SERVICE

I, Gerald R. Mollohan hereby certify that on May 12, 2014, a copy of the foregoing

“RESPONDENT’S MOTION TO DISMISS THE PETITION FOR CANCELLATION”

was sent by U.S. Mail, postage prepaid to:
PAUL D. WARNER and
BROTHERS OF THE WHEEL M.C. EXECUTIVE COUNCIL, INC.
PO BOX 782
MADISON, WEST VIRGINIA 25130-0782
UNITED STATES

A handwritten signature in black ink, appearing to read "Gerald R. Mollohan". The signature is fluid and cursive, written over a horizontal line.

GERALD R. MOLLOHAN, Pro Se et al
RESPONDENT