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Filing date: **08/15/2014**

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

Proceeding	92059680
Party	Plaintiff Kretek International, Inc
Correspondence Address	CATHERINE F HOFFMAN MAYBACK & HOFFMAN PA 5722 SOUTH FLAMINGO ROAD , SUITE 232 FORT LAUDERDALE, FL 33330 UNITED STATES jstepan@mayback.com, choffman@mayback.com, trademarks@mayback.com
Submission	Other Motions/Papers
Filer's Name	Catherine F. Hoffman
Filer's e-mail	trademarks@mayback.com, jstepan@mayback.com
Signature	/catherine f hoffman/
Date	08/15/2014
Attachments	Binder1.pdf(589652 bytes)

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

KRETEK INTERNATIONAL, INC.

Petitioner,

vs.

SPARK INDUSTRIES, LLC

Respondent.

Cancellation Proceeding No. 92059680

In Re Trademark Registration No. 3974247

SECOND NOTICE OF SERVICE

On July 28, 2014, Petitioner, Kretek International, Inc. filed a Notice of Service that the Petition for Cancellation and the TTAB Order dated July 28, 2014 were forwarded and served via US Mail on Respondent, Spark Industries LLC at 2363 Teller Road, Suite 104, Newbury Park, CA 91320 on July 28, 2014. This was the address that Spark Industries listed in the underlying trademark application. Nonetheless, this mail was returned to sender stating that it was “undeliverable as the addressed forwarding order expired.” Petitioner also sent the same papers via Federal Express delivery and Federal Express returned the attached Tracking notice that the package was delivered to Spark Industries on August 1, 2014. See attached copy of the FedEx Tracking slip showing the package was delivered, Exhibit “A.” In addition to sending the papers via FedEx, Petitioner also sent the papers via email to the email address listed on Spark’s trademark application scott@klkpatentlaw.com. See a copy of the email and letter attached as Exhibit “B.” Finally, Petitioner noticed that on a separate trademark application, Sparks Industries listed its address as 750 Calle Plano Camarillo, California 93012 and therefore to be sure the papers are received, Petitioner is also mailing the papers to this address which include the Notice of Service and all exhibits which include the Petition for Cancellation.

Respectfully submitted,

Date: August 15, 2014

By: /s/Catherine F. Hoffman
Catherine F. Hoffman, Esq.
James A. Stepan, Esq.
MAYBACK & HOFFMAN, P.A.
5722 S. Flamingo Rd. #232
Ft. Lauderdale, FL 33330
Telephone: (954) 704-1599
Facsimile: (954) 704-1588
E-mail: choffman@mayback.com
E-mail: jstepan@mayback.com
Attorneys for Petitioner

I hereby certify that a true and accurate copy of the foregoing including the Petition for Cancellation has been served upon the following by U.S. first class mail on this 15th day of August, 2014.

By: /s/Catherine F. Hoffman

SERVICE LIST

Sparks Industries LLC
750 Calle Plano
Camarillo, California 93012

EXHIBIT A

Catherine Hoffman

From: trackingupdates@fedex.com
Sent: Friday, August 01, 2014 3:24 PM
To: accounting@mayback.com
Subject: FedEx Shipment 770699594943 Delivered

[fedex.com](#) | [Ship](#) | [Track](#) | [Manage](#) | [Learn](#) | [Office/Print Services](#)

Your package has been delivered

Tracking # 770699594943

Ship (P/U) date: Monday, 7/28/14	Delivery date: Friday, 8/1/14 12:18 PM
Gregory L. Mayback Mayback & Hoffman, PA Fort Lauderdale, FL 33330 US	 Amy Matelski Spark Industries, LLC. 2363 TELLER RD STE 104 NEWBURY PARK, CA 91320 US

Shipment Facts

Our records indicate that the following package has been delivered.

Tracking number:	770699594943
Status:	Delivered: 08/01/2014 12:18 PM Signed for By: A.KIM
Signed for by:	A.KIM
Delivery location:	NEWBURY PARK, CA
Delivered to:	Receptionist/Front Desk
Service type:	FedEx Express Saver
Packaging type:	FedEx Pak
Number of pieces:	1
Weight:	1.00 lb.
Special handling/Services:	Deliver Weekday

Please do not respond to this message. This email was sent from an unattended mailbox. This report was generated at approximately 2:23 PM CDT on 08/01/2014.

To learn more about FedEx Express, please go to [fedex.com](#).

All weights are estimated.

To track the latest status of your shipment, click on the tracking number above, or go to [fedex.com](#).

EXHIBIT A

This tracking update has been sent to you by FedEx at your request. FedEx does not validate the authenticity of the requestor and does not validate, guarantee or warrant the authenticity of the request, the requestor's message, or the accuracy of this tracking update. For tracking results and terms of use, go to [fedex.com](https://www.fedex.com).

Thank you for your business.

EXHIBIT B

Catherine Hoffman

From: Catherine Hoffman
Sent: Monday, July 28, 2014 6:22 PM
To: scott@klkpatentlaw.com
Cc: James Stepan; TradeMarks
Subject: Petition for Cancellation No. 92059680 and TTAB Order dated July 28, 2014
Attachments: Ltr 7-28-14 Spark Industries.pdf; ttabvue-92059680-CAN-1.pdf; ttabvue-92059680-CAN-2.pdf

Please see the attached.

Catherine F. Hoffman

choffman@mayback.com

Mayback & Hoffman, P.A.

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Cooper City, FL 33026

Direct Line: 954.251.5050

Fax: 954.704.1588

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Fax: 954.704.1588
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July 28, 2014

Via E-MAIL scott@klkpatentlawlaw.com and FedEx

SPARK INDUSTRIES, LLC.
2363 TELLER ROAD, SUITE 104
NEWBURY PARK, CA 91320 UNITED STATES

Re: Cancellation No. 92059680

Dear Spark Industries:

Attached please find the following:

- 1) Petition for Cancellation; and
- 2) TTAB Order dated July 28, 2014.

As directed by the TTAB Order dated July 28, 2014, we are serving a copy of the Petition for Cancellation and TTAB Order on Spark Industries at the address listed at the USPTO, as shown above.

Sincerely,

MAYBACK & HOFFMAN, P.A.



Catherine F. Hoffman
Attorney for Kretet International, Inc.

Enclosures