

ESTTA Tracking number: **ESTTA621234**

Filing date: **08/13/2014**

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

Proceeding	92059699
Party	Plaintiff Rwachsberg Holdings Inc.
Correspondence Address	STEPHEN R BAIRD WINTHROP & WEINSTINE PA 225 SOUTH SIXTH STREET, SUITE 3500 MINNEAPOLIS, MN 55402 UNITED STATES trademark@winthrop.com, sbaird@winthrop.com, mengel@winthrop.com, jbriley@winthrop.com
Submission	Other Motions/Papers
Filer's Name	Martha J. Engel
Filer's e-mail	trademark@winthrop.com, sbaird@winthrop.com, mengel@winthrop.com, jbriley@winthrop.com
Signature	/Martha J. Engel/
Date	08/13/2014
Attachments	Notice of Undeliverable Service Copy.pdf(212687 bytes )

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

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Rwachsberg Holdings Inc.	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. <u>92059699</u>
	)	
Liv The Experience, Inc.	)	
	)	
Respondent.	)	

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**SERVICE COPY OF PETITION RETURNED AS UNDELIVERABLE**

Commissioner for Trademarks  
P.O. Box 1451  
Arlington, VA 22313-1451

In accordance with 37 C.F.R. § 2.111 and TBMP § 309.02(c)(2), Petitioner Rwachsberg Holdings Inc. (“Petitioner”) hereby notifies the Trademark Trial and Appeal Board (the “Board”) that the service copy of the petition for cancellation was returned to the petitioner on August 11, 2014 as undeliverable. Copies of the returned envelope and letter are attached.

Petitioner sent the service copy of the petition to the owner of record for the registration, Liv The Experience, Inc. (“Respondent”), at the owner’s address of record. 37 C.F.R. §2.111(a). No assignment of the registration has been recorded. Petitioner is unaware of any new address information for the Respondent. As a courtesy, Petitioner sent a copy of the service copy to Respondent’s attorney of record, but received no response.

This notification to the Board of the returned service copy is within 10 days of receipt and therefore considered timely. 37 C.F.R. § 2.111(b); TBMP § 309.02(c)(2).

Respectfully Submitted,  
WINTHROP & WEINSTINE, P.A.

Dated: August 13, 2014

  
Stephen R. Baird  
Martha J. Engel

3500 Capella Tower  
225 South Sixth Street  
Minneapolis, Minnesota 55402  
(612) 604-6400 (Telephone)  
(612) 604-6800 (Facsimile)

ATTORNEYS FOR PETITIONER  
RWACHSBERG HOLDINGS INC.

RECEIVED  
AUG 11 2014  
Martha J. Engel

# FIRST CLASS MAIL

12418.50

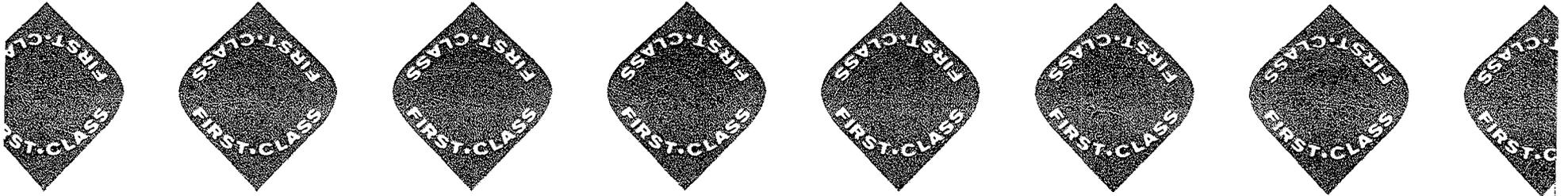
*Steve Baird*  
**W**  
WINTHROP WEINSTINE  
ATTORNEYS AND COUNSELORS AT LAW

CAPELLA TOWER | Suite 3500 | 225 South Sixth Street | Minneapolis, MN 55402-4629 | A Professional Association

Saschah Bianchin  
Liv the Experience, Inc.

NIXIE 606102028-1N 08/04/14

RETURN TO SENDER  
ATTEMPTED - NOT KNOWN  
UNABLE TO FORWARD  
RETURN TO SENDER



  
WINTHROP WEINSTINE  
ATTORNEYS AND COUNSELORS AT LAW

RECEIVED  
AUG 11 2014  
Martha J. Engel

July 28, 2014

Martha J. Engel  
Direct Dial: (612) 604-6470  
Direct Fax: (612) 604-6870  
mengel@winthrop.com

VIA FIRST CLASS MAIL

Saschah Bianchin  
Liv the Experience, Inc.  
10 East Walton Street  
Chicago, Illinois 60610

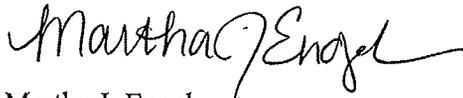
Re: Petition to Cancel the following mark:  
LIV WELL, U.S. Registration No. 3,708,742  
Our Ref.: 12418

Dear Ms. Bianchin:

Enclosed and served upon you by First Class Mail, please find a true and correct copy of Rwachsberg Holding Inc.'s Petition to Cancel the above referenced mark, along with a Certificate of Service.

Sincerely,

WINTHROP & WEINSTINE, P.A.



Martha J. Engel

cc: Leslie B. Wilson, Esq., Cardinal Law Group

Enclosures

9331433v1

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BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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Petitioner,	)	
	)	
v.	)	Cancellation No. <u>92059699</u>
	)	
Liv The Experience, Inc.	)	
	)	
Respondent.	)	

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**CERTIFICATE OF SERVICE BY MAIL**

STATE OF MINNESOTA    )  
                                  ) ss.  
COUNTY OF HENNEPIN    )

Martha J. Engel, of the City of Minneapolis, County of Hennepin, in the State of Minnesota, says that on the 13th day of August, 2014, she mailed by First Class mail, a true and correct copy of Petitioner's:

1.       Service Copy of Petition Returned As Undeliverable

in the above-captioned action to the following last known correspondence address of record identified in the Trademark Status and Document Retrieval online database for the record owner, to-wit:

Saschah Bianchin  
Liv the Experience, Inc.  
10 East Walton Street  
Chicago, Illinois 60610

  
Martha J. Engel