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

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Synaptek Corporation )  
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 )  
Petitioner, )  
 )  
v. )  
 )  
Synaptyk, Inc. )  
 )  
 )  
Registrant. )

Cancellation No. \_\_\_\_\_  
Mark: **SYNAPTYK**  
Registration No. 4015160  
Mark: **SYNAPTYK & design**  
Registration No. 4015163

Attorney's Reference: 98062-380034

03/06/2015 SGNIMI 00000010 220261 4015160  
01 FC:6401 300.00 DA

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

ATTN: BOX TTAB - FEE

03/06/2015 SGNIMI 00000011 220261 4015163  
01 FC:6401 300.00 DA

PETITION TO CANCEL REGISTRATION NOS. 4,015,160 and 4,015,163

Synaptek Corporation (a Virginia corporation) with an address at 1818 Library Street, Suite 500, Reston, VA 20190 (hereinafter "Petitioner"), believes that it is damaged by Registrations Nos. 4015160 and 4015163 and hereby petitions to cancel the same.

As grounds for this Petition, it is alleged:

1. Petitioner has filed an application to register the trademark SYNAPTEK, Application Serial No. 86/088536 in connection with "information technology consulting services; Planning, design and management of information technology systems; Integration of computer systems and networks; computer software development; Computer technical support services, namely, service desk or help desk services for IT infrastructure, operating systems, database systems, and web applications; Computer programming services for others in the field of software configuration management; Computer services, namely, remote and on-site management of the information technology (IT) systems and the software applications of others; consulting ser



and development of computer software programs and architecture and computer hardware architecture.”

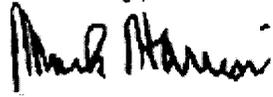
2. The U.S. Patent and Trademark Office has issued a refusal of registration of Petitioner’s application identified in Paragraph 1 hereof based upon the allegation of a likelihood of confusion with the marks shown in Registrations Nos. 4015160 and 4015163 (hereinafter “the Registered Marks”), thereby causing damage to Petitioner.
3. The Registered Marks issued on August 23, 2011 based upon applications filed November 2, 2010, and claim a date of first use of October 10, 2010.
4. Petitioner alleges a date of first use of August 4, 2008 for the mark shown in its Application Serial No. 86/088536.
5. The Registered Marks were not used in commerce for the services listed in the subject registrations prior to October 10, 2010.
6. The Registered Marks were not used in commerce for the services listed in the subject registrations prior to August 4, 2008.
7. Petitioner’s mark SYNAPTEK has been in use in commerce in the U.S. since prior to any date of first use in the U.S. that can be alleged by Registrant for the Registered Marks.
8. If the Registrant is permitted to retain the Registered Marks a cloud will be placed on Petitioner’s Application, on the mark that is the subject of Petitioner’s Application, and on Petitioner’s right to use, register and expand the use of that mark. Continued registration of the Registered Marks would thus be a source of damage and injury to the Petitioner.

**WHEREFORE**, Petitioner respectfully requests that this Petition be granted and that Registrations Nos. 4015160 and 4015163 be canceled.

Authorization is granted to charge the \$600.00 filing fee to Deposit Account No. 22-0261 and notify the undersigned accordingly.

Please conduct all correspondence in this matter with the undersigned at the below address.

Respectfully submitted,



Date: March 3, 2015

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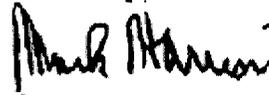
**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Petition for Cancellation was served by U.S. Mail, first class, postage prepaid, on this 3rd day of March, 2015 on the Registrant and its Attorney of Record at the addresses listed in the current U.S. Trademark Office Records as follows:

Synaptyk, Inc.  
Suite 900  
5700 Granite Parkway  
Plano, TEXAS 75024

and

Cheryl P. Leb  
Kelly Hart & Hallman LLP  
201 Main St Ste 2500  
Fort Worth, Texas 76102-3129



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**Mark Harrison**