

ESTTA Tracking number: **ESTTA773926**

Filing date: **09/30/2016**

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

Proceeding	92064281
Party	Defendant Imagequix, Inc.
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Submission	Other Motions/Papers
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Date	09/30/2016
Attachments	TTABResponse.pdf(147357 bytes)

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

Applicant: ImageQuix, Inc. Trademark: SMART TAG Registration No.: 5,005,230 Registration Date: 07/19/2016	Response to Communications Dated 09/28/2016
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On August 19, 2016, the pending cancellation of Registration No. 5,005,230 was instigated by Smartrac IP B.V. The parties have negotiated a settlement and as a condition of the settlement, Registrant submitted a request to amend the recitation of services as follows:

providing on-line non-downloadable software for administration and management of digital image capture, namely storing, organizing, viewing, editing, and identifying captured digital images, for the purpose of associating digital images with subject identification information; all the aforementioned goods not with respect to machines and equipment using radio frequency identification technology and transponders.

On September 26, 2016, the Board requested that the accompanying fee under 2.6 be submitted and a declaration supporting the modification to the recitation of services be submitted.

In response, the Registrant has paid the fee of \$100 for a post-registration amendment submitted on September 26, 2016 pursuant to 2.6(a)(11). Accompanying herewith is a declaration pursuant to Trademark Rule § 2.20.

Respectfully submitted,

/Douglas W. Kim /
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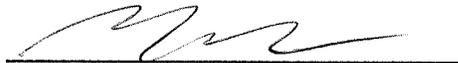
Registrant: ImageQuix, Inc.	Declaration in Support of Request for Amendment To Recitation Of Services Cancellation Proceeding 92064281
Trademark: SMART TAG	
Registration No.: 5,005,230	
Registration Date: 07/19/2016	

Pursuant to a settlement agreement between the parties in Cancellation Proceeding 92064281, The Defendant/Registrant ImageQuix, Inc. agrees to make the request and motion to the Board for the following amendment to the recitation of services.

providing on-line non-downloadable software for administration and management of digital image capture, namely storing, organizing, viewing, editing, and identifying captured digital images, for the purpose of associating digital images with subject identification information; all the aforementioned goods not with respect to machines and equipment using radio frequency identification technology and transponders.

The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

ImageQuix, Inc.



By: Mark Valente, President

September 26, 2016.