

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

In re U.S. Trademark Registration No. 4,518,660 - *85 773 493*

For the Mark: VENTURE POD

Date Registered: April 22, 2014

Thor Tech, Inc.,
Petitioner,

v.

Barney Syverson,
Registrant

PETITION TO CANCEL

Petitioner, Thor Tech, Inc., believes it will be damaged by the above-referenced United States Trademark Registration and hereby petitions to cancel that registration, and alleges as follows:

1. Thor Tech, Inc., ("Thor") is an Indiana corporation doing business at 601 East Beardsley Avenue, Elkhart, Indiana 46514.
2. Upon information and belief, Barney Syverson, an individual residing at 2224 SE 11th Ave., Camas, Washington 98607, is the current owner of the subject '660 registration.
3. Thor has applied for trademark registration of the mark "VENTURE RV," application number 86/661,014, with the United States Patent and Trademark Office ("USPTO"), as applied to

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recreational vehicles, namely, travel trailers. Thor is entitled to registration of its "VENTURE RV" trademark in light of its actual use of that mark in interstate commerce, at least since August, 2012. However, Thor's application for registration has currently been refused in light of the '660 registration, at least in part because of the Examining Attorney's interpretation of the scope of the goods listed in the '660 registration.

4. Mr. Syverson has never used the VENTURE POD trademark on all of the goods listed in the '660 registration. Alternatively, the description of the goods listed in the '660 registration is ambiguous and/or too broad in light of the actual goods to which Mr. Syverson has actually applied the VENTURE POD trademark.

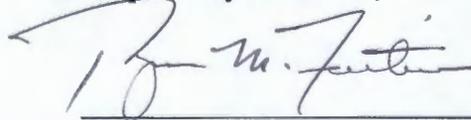
5. Accordingly, the '660 registration was issued by the USPTO in violation of 15 U.S.C. §1051(d)(1), in that the Statement of Use filed with the USPTO by Mr. Syverson on June 12, 2013, contained false information concerning the actual goods to which the VENTURE POD mark had been applied and used with in commerce.

6. Therefore, Thor requests that the '660 registration be cancelled or modified under 15 U.S.C. §1068, as appropriate, considering the actual use of the VENTURE POD trademark in commerce at the time of the application for the '660 registration.

Payment of the \$300.00 petition filing fee is enclosed herewith.

September 30, 2016

Respectfully submitted,



Ryan M. Fountain (USPTO Reg. No. 30,751)

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Attorney for Thor Tech, Inc.

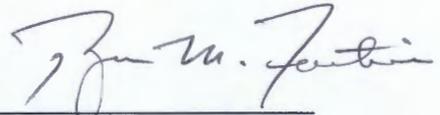
Certificate of Service:

I certify that a true and complete copy of this document has been served upon the opposing party on September 30, 2016 by depositing that item with the United States Postal Service for delivery via Priority Express Mail, No. EL 468961515 US, postage prepaid, to the Registration owner of record:

Barney Syverson
2224 SE 11th Ave.
Camas, Washington 98607

A courtesy copy was also sent to that person via email on that date.

s/Ryan M. Fountain



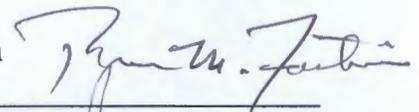
Ryan M. Fountain (USPTO Reg. No. 30,751)

Certificate of Filing/Mailing

I certify that a true and complete copy of this document has been filed with the Trademark Trial and Appeal Board on September 30, 2016 by depositing that item with the United States Postal Service for delivery via Priority Express Mail, No. EL 468961529 US, postage prepaid, to the following address:

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, Virginia 22313-1451

s/Ryan M. Fountain



Ryan M. Fountain (USPTO Reg. No. 30,751)