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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

Concurrent Use No. 94002102

Easy Cash, Inc.

v.

Advantage Rent-A-Car, Inc.

David Mermelstein, Administrative Trademark Judge:

On June 30, 2007, the Board ordered applicant to investigate registrant American International Investment's correct address, or its use, if any, of its mark. On July 25, 2007, applicant filed its response, in which it summarized its investigation, asserted based on that investigation that registrant American International Investment appears to no longer be a "viable corporation," and asserted that registrant is no longer using its mark. Accordingly, applicant requested that its application be amended to remove the concurrent use restrictions regarding American International Investment.

Applicant's conclusion that registrant is no longer using its mark is supported by the fact that registrant's registration for its mark was cancelled for registrant's failure to submit a statement of continued use of the mark. Accordingly, applicant's application is hereby amended to

remove the concurrent use restrictions regarding American International Investment.

Applicant's current concurrent use Statement currently reads as follows:

Subject to concurrent use proceeding with American International Investment and Advantage Rent-A-Car, Inc. Applicant claims exclusive right to use the mark in the area comprising the state of Arkansas, Tulsa and Oklahoma City, Oklahoma.

Because American International Investment will no longer be named as an exception to applicant's exclusive right to use the mark, applicant is allowed THIRTY DAYS in which to submit an amended concurrent use statement. If, by its amendment, applicant seeks rights to a larger territory than is currently claimed, the application will be re-published for opposition following termination of this concurrent use proceeding, as appropriate.

Proceedings herein are resumed. Discovery and trial dates remain as set in the Board's order of April 13, 2007.
