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Filing date: **11/09/2005**

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

Proceeding	94002126
Party	Applicant Arcon Associates, Inc. Arcon Associates, Inc. 420 Eisenhower Lane Lombard, IL 60148
Correspondence Address	John R. Crossan Chapman and Cutler 111 W. Monroe St., #1700 Chicago IL, US 60603-4080
Submission	Motion to delete area of state of Michigan from Applicant's application for concurrent use registration of services in class 037 only (Michigan remains in class 042)
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Date	11/09/2005
Attachments	Motion of Applicant 1.txt (1 page)

Applicant Arcon Associates Inc. respectfully moves to delete the state of Michigan from Applicant's application for concurrent use registration of the mark ARCON for its services in Class 037; Michigan should remain in the registration for the different services in Class 042.

Applicant and Concurrent User IRT-ARCON have reached agreement that Michigan will not be reserved to either such party but that concurrent uses can co-exist there, as each party had had early uses without confusion in Michigan. IRT-ARCON is filing the Agreement with the Board; that agreement provides for this division of concurrent use areas, for Arcon's deletion of Michigan from the concurrent use registration for class 037 but not 042, and for cooperation in avoiding confusion should confusion appear likely in the future.

Favorable consideration and entry of an appropriate Order are respectfully solicited.