

ESTTA Tracking number: **ESTTA203424**

Filing date: **04/08/2008**

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

Proceeding	91182182
Party	Defendant STORZ PERFORMANCE, INC
Correspondence Address	DANIEL D. CHAPMAN JACKSON WALKER L.L.P. 112 E. PECAN STREET , SUITE 2400 SAN ANTONIO, TX 78205 UNITED STATES
Submission	Motion to Join/Substitute Party
Filer's Name	Jonathan M. Gelchinsky
Filer's e-mail	jon.gelchinsky@finnegan.com, docketing@finnegan.com, jenny.macioge@finnegan.com
Signature	/Jonathan M. Gelchinsky/
Date	04/08/2008
Attachments	Stipulated Motion to Substitute.pdf (9 pages)(331322 bytes)

Accordingly, Applicant respectfully requests that the foregoing stipulated motion to substitute be granted, and that the caption of this proceeding be amended going forward to reflect H-D Michigan, Inc. as the Applicant in this case.

Applicant also requests that all future correspondence relating to this matter be sent to the following counsel for Applicant:

David M. Kelly
Jonathan M. Gelchinsky
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP
901 New York Avenue, NW
Washington, D.C. 20001
Email: docketing@finnegan.com

Respectfully submitted,

H-D MICHIGAN, INC. (by way of
assignment from Storz Performance, Inc.)

By: 

David M. Kelly
Jonathan M. Gelchinsky
Finnegan, Henderson, Farabow,
Garrett & Dunner, LLP
901 New York Avenue, NW
Washington, D.C. 20001

Counsel for Applicant
April 8, 2008

HONDA MOTOR CO., LTD.

By: 

Anthony L. Fletcher
Erin M. Hickey
FISH & RICHARDSON PC
Citigroup Center
153 East 53rd Street, 52nd Floor
New York, NY 10022-4611

Counsel for Opposer
April 8, 2008

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2008, a true and correct copy of the foregoing
STIPULATED MOTION TO SUBSTITUTE PARTY DEFENDANT was served via first class
mail and email upon the following counsel for Opposer:

Anthony L. Fletcher
Erin M. Hickey
FISH & RICHARDSON PC
Citigroup Center
153 East 53rd Street, 52nd Floor
New York, NY 10022-4611

and via first class mail and email upon the following counsel for Storz Performance, Inc.:

Daniel D. Chapman
Jackson Walker L.L.P.
112 E. Pecan Street, Suite 2400
San Antonio, TX 78205

By: 

EXHIBIT A

ASSIGNMENT

Storz Performance, Inc., a California corporation with its principal place of business at 239 South Olive Street, Ventura, California 93001 ("Assignor"), is the owner of U.S. Trademark Application No. 77/048680 for the mark XR 1200 ("the Trademark").

H-D Michigan, Inc., a Michigan corporation with its principal place of business at 315 W. Huron Street, Ann Arbor, Michigan 48103 ("Assignee"), wishes to acquire the Trademark.

In consideration of the foregoing and for other good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns to Assignee all its right, title, and interest in and to the Trademark, together with the goodwill associated with the Trademark, and the right to sue and recover for past infringements, dilution, and other violations.

STORZ PERFORMANCE, INC.

By: Stephen H. Storz

Name: STEPHEN H. STORZ

Title: PRES. STORZ PERFORMANCE, INC.

Date: 3/19/08



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MARCH 25, 2008

PTAS

H-D MICHIGAN, INC.
315 WEST HURON STREET, SUITE 400
JENNIFER K. ZIEGLER
ANN ARBOR, MI 48103

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT SERVICES BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 03/24/2008

REEL/FRAME: 003745/0450
NUMBER OF PAGES: 3

BRIEF: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

ASSIGNOR:

STORZ PERFORMANCE, INC.

DOC DATE: 03/19/2008
CITIZENSHIP: CALIFORNIA
ENTITY: CORPORATION

ASSIGNEE:

H-D MICHIGAN, INC.
315 WEST HURON STREET, SUITE 400
ANN ARBOR, MICHIGAN 48103

CITIZENSHIP: MICHIGAN
ENTITY: CORPORATION

APPLICATION NUMBER: 77048680
REGISTRATION NUMBER:

FILING DATE: 11/21/2006
ISSUE DATE:

MARK: XR 1200

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003745/0450 PAGE 2

ASSIGNMENT SERVICES BRANCH
PUBLIC RECORDS DIVISION

TRADEMARK ASSIGNMENT

Electronic Version v1.1
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03/24/2008
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SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Storz Performance, Inc.		03/19/2008	CORPORATION: CALIFORNIA
RECEIVING PARTY DATA			
Name:	H-D Michigan, Inc.		
Street Address:	315 West Huron Street, Suite 400		
City:	Ann Arbor		
State/Country:	MICHIGAN		
Postal Code:	48103		
Entity Type:	CORPORATION: MICHIGAN		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	77048680	XR 1200	
CORRESPONDENCE DATA			
Fax Number:	(734)665-9843		
	<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>		
Phone:	(734) 665-9243		
Email:	jennifer.ziegler@harley-davidson.com		
Correspondent Name:	H-D Michigan, Inc.		
Address Line 1:	315 West Huron Street, Suite 400		
Address Line 2:	Jennifer K. Ziegler		
Address Line 4:	Ann Arbor, MICHIGAN 48103		
NAME OF SUBMITTER:	Jennifer K. Ziegler		
Signature:	/jennifer ziegler/		
Date:	03/24/2008		
Total Attachments: 1			

CH \$40.00 77048680

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