

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

In the matter of Registration No. 2,257,653  
Registered on the Principal Register on June 29, 1999

PELICAN PRODUCTS, INC.

Petitioner,

v.

ELECTRO SOURCE, LLC,

Respondent.

)  
) Cancellation No. 92032232  
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11-17-2003

U.S. Patent & TMO/TM Mail Rcpt Dt. #22

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail, addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on November 13, 2003.

*Susan Crippen*  
\_\_\_\_\_  
Susan Crippen

**RESPONSE TO OCTOBER 28, 2003 REQUEST FOR STATUS OF CIVIL ACTION**

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

Sir/Madam:

The above-referenced Cancellation Proceeding was suspended pending the disposition of Civil Action No. 01-01555. On October 28, 2003, the Trademark Trial and Appeal Board requested that both parties inform the TTAB of the status of that matter.

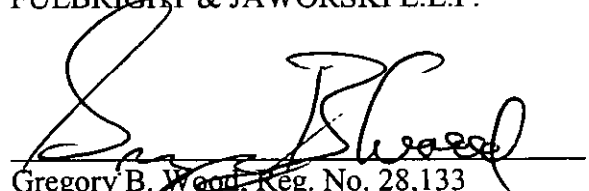
Civil Action No. 01-01555 is currently pending before the United States District Court for the Central District of California. Discovery has closed, but no trial date has been set. The case has been stayed pending resolution of Civil Action No. 02-7974, a case in which Respondent Electro Source, LLC is plaintiff and Petitioner Pelican Products, Inc. is a defendant, and which concerns United States Trademark Registration No. 2,073,287.

Respectfully submitted,

FULBRIGHT & JAWORSKI L.L.P.

Dated: November 13, 2003

By:



Gregory B. Wood, Reg. No. 28,133  
865 South Figueroa Street  
29<sup>th</sup> Floor  
Los Angeles, California 90017-2576

Attorneys for Petitioner

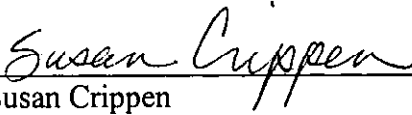
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **RESPONSE TO OCTOBER 28, 2003 REQUEST FOR STATUS OF CIVIL ACTION** was served via United States First Class Mail, postage prepaid, on the following:

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Dated: November 13, 2003

  
\_\_\_\_\_  
Susan Crippen

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November 13, 2003

11-17-2003  
U.S. Patent & TMOfr/TM Mail Rcpt Dt. #22

## Box TTAB NO FEE

Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Washington, DC 22202-3513

Re: Petitioner: Pelican Products, Inc.  
Respondent: Electro Source, LLC  
Cancellation No.: 92032232  
Matter: In the matter of Registration No. 2,257,653  
Registered on the Principal Register on June 29, 1999  
Attorney Docket No.: 7186-105

Dear Sir/Madam:

Attached hereto for the above-referenced cancellation proceeding is the following:

1. Response to October 28, 2003 Request for Status of Civil Action.

The Assistant Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this proceeding by this firm) to our deposit Account No. 50-0337, under Order No. LA-7186-106.

This transmittal letter is being submitted in duplicate.

Very truly yours,

  
Gregory B. Wood

GBW/sc  
Enclosures

cc: Linda Werk (w/encls.)

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