

TTAB

01-28-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #30

TRADEMARK  
Docket No. 032424.9010

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

In the matter of Registration No. 1,486,811  
Issued: May 3, 1988  
Mark: PROFICIENT

PROFICIENT NETWORKS, INC., )  
 )  
Petitioner )  
 )  
vs. )  
 )  
COMMUNICATION INTELLIGENCE )  
CORPORATION, )  
 )  
Respondent )  
\_\_\_\_\_ )

Cancellation No.: 92040877

US FED - 4 PM 11:50  
PROFICIENT NETWORKS, INC.

Box TTAB -- NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

**REQUEST FOR ENTRY OF JUDGMENT IN PETITIONER'S FAVOR**

Petitioner Proficient Networks, Inc. ("Petitioner") hereby requests, pursuant to 37 C.F.R. §§ 2.134(a) and 2.172 and TBMP § 602.02, that judgment in the above-referenced proceeding be entered against Respondent Communication Intelligence Corporation ("Respondent") and in favor of Petitioner.

TBMP § 602.02 provides in pertinent part as follows:

After the commencement of a cancellation proceeding, if the respondent applies for cancellation of the involved registration under section 7(d) of the Act of 1946 without the written consent

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of every adverse party to the proceeding, judgment shall be entered against the respondent.

See also 37 C.F.R. §§ 2.134(a) and 2.172. On December 18, 2002, Respondent filed an Application for Surrender of its registration for the challenged mark PROFICIENT (Reg. No. 1,486,811). Accordingly, judgment must be entered against Respondent and in favor of Petitioner in this proceeding.

Respectfully submitted,

January 23, 2003

By:   
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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

Box TTAB -- NO FEE  
Assistant Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513  
Dear Sir:

I hereby certify that the attached request for entry of judgement in petitioner's favor (in triplicate) and receipt verification are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX TTAB – NO FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, VA 22202-3513, on January 23, 2003.

Respectfully submitted,

  
\_\_\_\_\_  
Jean Canedo