

TTAB

UNITED STATES PATENT AND TRADEMARK OFFICE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

LONG ISLAND SAVING BANK, FSB, THE
201 OLD COUNTRY ROAD
MELVILLE, NY 11747

Mailed: November 15, 2004

73/772,029

Cancellation No. 92043865
Reg. No. 1559241

RONALD E. SHAPIRO
VORYS, SATER, SEYMOUR AND PEASE LLP
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WASHINGTON, DC 20036-5109

ONLINE RESOURCES CORPORATION

V.

LONG ISLAND SAVING BANK, FSB, THE

Tammy Logan, Legal Assistant

A petition, a copy of which is attached, has been filed to cancel the above-identified registration.

Proceedings will be conducted in accordance with the Trademark Rules of Practice.

ANSWER IS DUE FORTY DAYS after the mailing date hereof. (See Trademark Rule 2.196 for expiration date falling on Saturday, Sunday or a holiday).

Proceedings will be conducted in accordance with the Trademark Rules of Practice, set forth in Title 37, part 2, of the Code of Federal Regulations. The parties are reminded of the recent amendments to the Trademark Rules that affect the rules of practice before the TTAB. See Rules of Practice for Trademark-Related Filings Under the Madrid Protocol Implementation Act, 68 Fed. R. 55,748 (September 26, 2003) (effective November 2, 2003); Reorganization of Correspondence and Other Provisions, 68 Fed. Reg. 48,286 (August 13, 2003) (effective September 12, 2003). Notices concerning the rules changes, as well as the Trademark Trial and Appeal Board Manual of Procedure (TBMP), are available at www.uspto.gov.

The parties are particularly referred to Trademark Rule 2.126 pertaining to the form of submissions. Paper submissions, including but not limited to exhibits and depositions, not filed in accordance with Trademark Rule 2.126 may not be given consideration or entered into the case file.



12-10-2004

U.S. Patent & TMOfc/TM Mail RcptDt. #77

Discovery and testimony periods are set as follows:

Discovery period to open: December 05, 2004

Discovery period to close: June 03, 2005

30-day testimony period for party
in position of plaintiff to close: September 01, 2005

30-day testimony period for party
in position of defendant to close: October 31, 2005

15-day rebuttal testimony period
for plaintiff to close: December 15, 2005

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. See Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

NOTE: The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See the *Official Gazette* notice titled "Permanent Expansion of Telephone Conferencing on Interlocutory Matters in Inter Partes Cases Before the Trademark Trial and Appeal Board," 1235 TMOG 68 (June 20, 2000). The notice is available at <http://www.uspto.gov>. Interlocutory matters which the Board agrees to discuss or decide by phone conference may be decided adversely to any party which fails to participate.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

New Developments at the Trademark Trial and Appeal Board

TTAB forms for electronic filing of extensions of time to oppose, notices of opposition, and inter partes filings are now available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABVue at <http://ttabvue.uspto.gov>.

ESTTA Tracking number: **ESTTA18642**

Filing date: **11/04/2004**

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

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Online Resources Corporation		
Entity	Corporation	Citizenship	Delaware
Address	7600 Colshire Drive McLean, VA 22102 UNITED STATES		

Attorney information	Ronald E. Shapiro Vorys, Sater, Seymour and Pease LLP 1828 L Street, NWEleventh Floor Washington, DC 20036-5109 UNITED STATES reshapiro@vssp.com Phone:202-467-8815
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Registration Subject to Cancellation

Registration No	1559241	Registration date	10/03/1989
Registrant	LONG ISLAND SAVING BANK, FSB, THE 201 OLD COUNTRY ROAD MELVILLE, NY 11747 UNITED STATES		
Goods/Services Subject to Cancellation	Class 036. First Use: 19860800, First Use In Commerce: 19860800 Goods/Services: MORTGAGE BANKING SERVICES		
Grounds for	The registered mark has been abandoned.		

Cancellation

Attachments Grounds for Cancellation.pdf (1 page)

Signature /Ronald E. Shapiro/

Name Ronald E. Shapiro

Date 11/04/2004

1. Petitioner has filed Application Serial No. 76/554,995 for the mark MONEY HQ.
2. The Examining Attorney has refused registration of Petitioner's mark under Section 2(d) of the Trademark Act in view of Respondent's Registration No. 1,559,241 for the mark MORTGAGE HQ.
3. On information and belief, Respondent has not used the mark MORTGAGE HQ for more than three years, and has abandoned it.
4. For the foregoing reasons, Petitioner believes that it will be damaged by the continued existence of Registration No. 1,559,241, and therefore prays that it be cancelled.