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Filing date: **10/27/2015**

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

Proceeding	92053315
Party	Defendant The American University for Science and Technology
Correspondence Address	DR M A WAHAB THE AMERICAN UNIVERSITY FOR SCIENCE AND TECHNOLOGY 18345 VENTURA BLVD STE 210 TARZANA, CA 91356 UNITED STATES president@austc.us
Submission	Other Motions/Papers
Filer's Name	Mohamed Abdulwahab
Filer's e-mail	president@austc.us
Signature	/MOHAMED ABDULWAHAB/
Date	10/27/2015
Attachments	Response Dated October 26, 2015.pdf(104225 bytes)

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

US registration No. 3, 836, 388

For the mark THE AMERICAN UNIVERSITY FOR SCIENCE AND TECHNOLOGY

American University.

Petitioner,

VS.

The American University for
Science And Technology

Respondent

Serviced: October 26, 2015

Cancellation No. 92053315

Response to Petitioner's Response Dated 10/21/2015

On 10/21/2015 Alisa C. Simmons, from FITCH, EVEN, TABIN & FLANNERY LLP, representing the Petitioner in this proceeding submitted a response to Respondent's Memorandum in response to notice of Default. In which petitioner claims that it served the amended petition for cancellation to respondent making respondent's response to the petitioner's Motion for Leave to file amended petition for cancellation as evidence on respondent's conformation that it received the amended petition.

This claim is just another game to expand the proceeding for unjustified cause and an additional attempt to mislead the board and the respondent.

Respondent's response to the petitioner's Motion for Leave to file amended petition for cancellation cannot support petitioner's claim because it happened earlier than the claimed submission of amended petition.

Respondent insists that the amended petition hasn't been served to it up to today's date (10/6/2015).

Respondent also confirms that the notice of default is not justified and is respectfully requested to be withdrawn and to be considered as none.

Respondent respectfully submits the following facts:

- (1) Respondent has submitted an enough evidence of being in practice at the United States of America since 7/15/2004
- (2) Respondent is a 501 (c) (3) public charity organization that is federally documented under its mark since 2004
- (3) Respondent owns its registered trade mark before petitioner's application
- (4) Petitioner uses registration of logos and art designs as a basis to compete with respondent's ownership of the subject mark
- (5) Petitioner's applications to register "American University" as registered trade mark faced lots of difficulties and had to disclaim its parts to go through.
- (6) It is not logic or legal to consider a date of promise as a date of actual submission
- (7) Petitioner does not have any justification and shall not be able to proof its claims, while respondent is fully able to provide all official documents to support its status and to proof its ownership of its mark as registered.

Requests:

Respondent respectfully requests to document petitioner's claim as a fraud attempt and to take the default decision in favor of the respondent based on the above submitted facts.

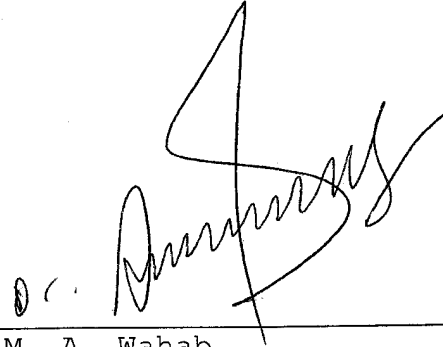
Certificate of Service

The undersigned hereby certifies that a copy of the forgoing 'Response to Petitioner's Response Dated 10/21/2015' was served via first class mail, postage paid, upon:

Alisa C. Simmons

FITCH, EVEN, TABIN & FLANNERY LLP
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406

On this 26th day of October, 2015



Dr. M. A. Wahab
The American University for Science and Technology
18345 Ventura Boulevard, Suite 210
Tarzana, CA 91356