

ESTTA Tracking number: **ESTTA389066**

Filing date: **01/19/2011**

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

Proceeding	92053437
Party	Plaintiff The FRS Company
Correspondence Address	Jonathan A. Hyman KNOBBE MARTENS OLSON & BEAR, LLP 2040 MAIN ST., FL 14 Irvine, CA 92614 UNITED STATES efiling@kmob.com, jhh@kmob.com
Submission	Other Motions/Papers
Filer's Name	Jonathan A. Hyman
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Date	01/19/2011
Attachments	FRSCO.061CN-PetitionForCancellation.pdf (3 pages)(159913 bytes)

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

The FRS Company,

Petitioner,

v.

Bodyonics, Ltd.,

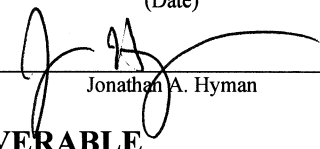
Respondent.

Cancellation No: 92053437
Mark: TIRED OF BEING TIRED?
Reg. No.: 3443013

I hereby certify that this correspondence and all marked attachments are being electronically filed with the Trademark Trial and Appeal Board through their web site located at <http://esta.uspto.gov> on

January 19, 2011

(Date)


Jonathan A. Hyman

**PETITIONER'S NOTICE OF UNDELIVERABLE
PETITION FOR CANCELLATION**

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

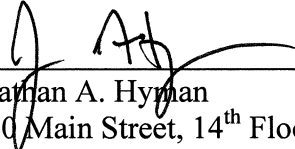
Dear Sir or Madam:

On December 21, 2010, The FRS Company ("Petitioner") filed a Petition for Cancellation against Registration No. 3443013. Pursuant to Section 2.111(b), Petitioner hereby advises the Trademark Trial and Appeal Board that the service copy of the Petition for Cancellation was returned to Petitioner's counsel January 11, 2010. Attached as Exhibit A is a copy of the envelope from the service copy of the Petition for Cancellation, which shows that there was no forwarding address available.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 19, 2011

By: 
Jonathan A. Hyman
2040 Main Street, 14th Floor
Irvine, CA 92614
efiling@kmob.com
Attorneys for Petitioner, The FRS Company

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing **PETITIONER'S NOTICE OF UNDELIVERABLE PETITION FOR CANCELLATION** upon Respondent by depositing one copy thereof in the United States Mail, first-class postage prepaid, on January 19, 2011, addressed as follows:

BODYONICS, LTD.
200 Adams Blvd.
Farmingdale, NY 11735



Jonathan A. Hyman

10284241



017H15S33201
HASLER
\$1.052
 12/21/2010
 Mailed From: 90067

US POSTAGE

MOVED LEFT NO ADDRESS
 FORWARDING ORDER EXPIRED
 ADDRESSES NOT KNOWN
 UNCLAIMED / REFUSED
 NO SUCH STREET
 NO SUCH NUMBER
 INSUFFICIENT ADDRESS



RETURNED TO SENDER

Knobbe Martens
 INTELLECTUAL PROPERTY LAW
 10100 Santa Monica Boulevard
 16th Floor
 Los Angeles, CA 90067
 JHH
 PISC02 06/11/10/061CN

~~BODENICSKY, L.D.
 700 Adams Boulevard
 Farmingdale, NY 11735~~

