

ESTTA Tracking number: **ESTTA433222**

Filing date: **09/30/2011**

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

Proceeding	92054012
Party	Defendant Steam Way International, Inc.
Correspondence Address	STEAM WAY INTERNATIONAL INC 4550 JACKSON STREET DENVER, CO 80216 UNITED STATES
Submission	Motion to Join/Substitute Party
Filer's Name	Lindsay E. Cohen
Filer's e-mail	lindsay.cohen@bryancave.com, ncollora@bryancave.com, sluspto@bryancave.com
Signature	/lec/
Date	09/30/2011
Attachments	09-30-11 Motion to Substitute Registrant.pdf (6 pages)(224840 bytes)

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

In the Matter of Registration Nos. 1,409,198 & 3,213,297
For the Mark: STEAM WAY

Steam Way International, LLC
Petitioner,


v.

Steam Way International, Inc.
Registrant.

Cancellation Proceeding No.: 92054012

CERTIFICATE OF TRANSMISSION

I hereby certify that this MOTION TO SUBSTITUTE REGISTRANT, in Proceeding No. 92054012, was electronically transmitted to the Trademark Trial and Appeal Board via the Electronic System for Trademark Trials and Appeals ("ESTTA"), on September 30, 2011.


Lindsay E. Cohen, Esq.

J.F. DALEY INTERNATIONAL, LTD.'S MOTION TO SUBSTITUTE REGISTRANT

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

J.F. DALEY INTERNATIONAL, LTD. ("J.F. DALEY") incorporates herewith all facts, arguments, and exhibits contained in its June 27, 2011 Motion to Substitute or Join Registrant. J.F. DALEY further states that it is assignee/successor-in-interest to prior registrant and named party Steam Way International, Inc. ("SWI"), as recorded with the USPTO's Assignment Branch at Reel/Frame 4629/0584. A copy of the USPTO Notice of Recordation of Assignment Document is attached herewith.

Inasmuch as a document reflecting that assignment to J.F. DALEY is recorded with the USPTO's Assignment Branch, the assignee may be substituted as a party defendant. See TBMP Section 512.01 (3d ed. 2011).

Considering that J.F. DALEY is the Assignee of the subject registrations, J.F. DALEY respectfully requests to be substituted as the defendant in this Cancellation Proceeding involving the STEAM WAY® registrations.

Respectfully submitted,



Date: September 30, 2011

Lindsay E. Cohen, Esq.
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***Attorneys for J.F. DALEY
INTERNATIONAL, LTD.***

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing MOTION TO SUBSTITUTE REGISTRANT, in Cancellation Proceeding No. 92054012 has been served by mailing said copy on September 30, 2011, via First Class Mail, postage prepaid to:

Markus Brakhan, Esq.
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***Attorneys for Petitioner
Steam Way International, LLC***



Lindsay E. Cohen, Esq.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

SEPTEMBER 27, 2011

PTAS

LINDSAY E. COHEN OF BRYAN CAVE LLP
211 N. BROADWAY, SUITE 3600
ST. LOUIS, MO 63102

900202865

UNITED STATES PATENT AND TRADEMARK OFFICE NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT RECORDATION BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE ASSIGNMENT RECORDATION BRANCH AT 571-272-3350. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, MAIL STOP: ASSIGNMENT RECORDATION BRANCH, P.O. BOX 1450, ALEXANDRIA, VA 22313.

RECORDATION DATE: 09/23/2011

REEL/FRAME: 4629/0584
NUMBER OF PAGES: 5

BRIEF: NUNC PRO TUNC ASSIGNMENT

DOCKET NUMBER: 0324456

ASSIGNOR:

STEAM WAY INTERNATIONAL, INC.

DOC DATE: 09/21/2011
CITIZENSHIP: COLORADO
ENTITY: CORPORATION

ASSIGNEE:

J.F. DALEY INTERNATIONAL, LTD.
4100 W 76TH STREET
CHICAGO, ILLINOIS 60652

CITIZENSHIP: ILLINOIS
ENTITY: CORPORATION

SERIAL NUMBER: 73549062

REGISTRATION NUMBER: 1409198

MARK: STEAM WAY

DRAWING TYPE: TYPESET WORD(S) /LETTER(S) /NUMBER(S)

FILING DATE: 07/18/1985

REGISTRATION DATE: 09/16/1986

SERIAL NUMBER: 78879103

REGISTRATION NUMBER: 3213297

MARK: STEAM WAY

DRAWING TYPE: STANDARD CHARACTER MARK

FILING DATE: 05/08/2006

REGISTRATION DATE: 02/27/2007

ASSIGNMENT RECORDATION BRANCH
PUBLIC RECORDS DIVISION

TRADEMARK ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	06/01/2008		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Steam Way International, Inc.		09/21/2011	CORPORATION: COLORADO
RECEIVING PARTY DATA			
Name:	J.F. Daley International, Ltd.		
Street Address:	4100 W 76th Street		
City:	Chicago		
State/Country:	ILLINOIS		
Postal Code:	60652		
Entity Type:	CORPORATION: ILLINOIS		
PROPERTY NUMBERS Total: 2			
Property Type	Number	Word Mark	
Registration Number:	1409198	STEAM WAY	
Registration Number:	3213297	STEAM WAY	
CORRESPONDENCE DATA			
Fax Number:	(314)259-2020		
Phone:	3142592000		
Email:	sluspto@bryancave.com		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Correspondent Name:	Lindsay E. Cohen of BRYAN CAVE LLP		
Address Line 1:	211 N. Broadway, Suite 3600		
Address Line 4:	St. Louis, MISSOURI 63102		
ATTORNEY DOCKET NUMBER:	0324456		

NAME OF SUBMITTER:	Lindsay E. Cohen
Signature:	/lec/
Date:	09/23/2011
Total Attachments: 3 source=Nunc Pro Tunc Assignment -- signed 09-21-11#page1.tif source=Nunc Pro Tunc Assignment -- signed 09-21-11#page2.tif source=Nunc Pro Tunc Assignment -- signed 09-21-11#page3.tif	
RECEIPT INFORMATION	
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Receipt Date:	09/23/2011
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