

ESTTA Tracking number: **ESTTA430000**

Filing date: **09/12/2011**

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

Proceeding	92054315
Party	Plaintiff Revive Franchising LLC
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Date	09/12/2011
Attachments	Untitled 1.pdf (1 page)(39316 bytes)

TRADEMARK TRIAL AND APPEAL BOARD

Revive Franchising LLC, plaintiff

v.

Proceeding number Number: 92054315

The FRS Company, defendant

REQUEST FOR CORRECTION OF TTAB RECORDS

Two documents were e-filed with the TTAB today:

- an Amended Complaint (amended petition to cancel), tracking number ESTTA429922
- a Motion to Dismiss the Complaint, tracking number ESTTA429982

It will be appreciated from the ESTTA tracking numbers that the Amended Complaint was filed much earlier than the Motion to Dismiss. Notwithstanding this time sequence, TTAB seems through inadvertence to have entered these two documents into the TTAB records out of sequence. The Amended Complaint is presently indexed as document number 6 and the Motion is presently indexed as document number 5.

It is requested that the TTAB correct its records, indexing the first-filed document (the Amended Complaint) as document number 5 and indexing the second-filed document (the Motion to Dismiss) as document number 6.

Respectfully submitted,

/s/

Carl Oppedahl
USPTO Reg. No. 32746
Oppedahl Patent Law Firm LLC
attorneys for plaintiff

Certificate of Service – I certify that this paper is being served upon defendant, by first class mail, as follows, this 12th day of September, 2011:

THE FRS COMPANY
101 LINCOLN CENTRE DRIVE, SUITE 500
FOSTER CITY, CA 94404
UNITED STATES

/s/

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