

ESTTA Tracking number: **ESTTA468668**

Filing date: **04/23/2012**

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	Sarah C. Rieger, Owner		
Entity	Limited Liability Company	Citizenship	Washington
Address	1403 S. Grand Blvd. Suite 202S Spokane, WA 99203 UNITED STATES		

Correspondence information	Sarah C. Rieger Owner Fulcrum Financial Group 1403 S. Grand Blvd. Suite 202S Spokane, WA 99203 UNITED STATES srieger@fulcrumfinancialgroup.com Phone:509-747-2075
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**Registration Subject to Cancellation**

Registration No	3618920	Registration date	05/12/2009
Registrant	Fulcrum Financial Services, LLC Suite 400 8601 Six Forks Road Raleigh, NC 27615 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 036. First Use: 2008/08/29 First Use In Commerce: 2008/09/04 All goods and services in the class are cancelled, namely: Financial services, namely, investment advice, investment management, investment consultation and investment of funds for others, including private and public equity and debt investment services
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**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Petitioner has been DBA Fulcrum Financial Group for 23+ years and registered name with State of WA. in 05/2005, 4 years prior to 2009 trademark registration on national/federal level by Fulcrum Financial Services.

**Mark Cited by Petitioner as Basis for Cancellation**

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		

Word Mark	FULCRUM FINANCIAL GROUP
Goods/Services	FINANCIAL ADVISORY AND CONSULTANCY SERVICES; PROVIDING FINANCIAL SERVICES WITH RESPECT TO SECURITIES AND OTEHR FINANCIAL INSTRUMENTS AND PRODUCS, NAMELY TRADING OF AND INVESTMENTS IN SECURITIES AND FINANCIAL INSTRUMENTS AND PRODUCS FOR OTHERS

Attachments	Petition to cancel trademark 3618920.pdf ( 1 page )(137317 bytes ) State of WA. DBA.tif ( 1 page )(2710254 bytes ) DBA Certificate.tif ( 1 page )(2671426 bytes )
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### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Sarah C. Rieger/
Name	Sarah C. Rieger
Date	04/23/2012

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

In the matter of trademark Registration number 3618920, Serial number 77574108  
For the mark: Fulcrum Financial Group (words only – service mark)  
Date registered: 2009-05-12

Sarah C. Rieger DBA Fulcrum Financial Group  
V.  
Fulcrum Financial Services

PETITION TO CANCEL

Sarah C. Rieger, DBA Fulcrum Financial Group  
1403 S. Grand Blvd., Suite 202S, Spokane, WA. 99203

To the best of petitioner's knowledge, the name and address of the current owner of  
the registration are

Fulcrum Financial Services, LLC North Carolina  
8601 Six Forks Road, Suite 400, Raleigh NC. 27615, registered by Principal

The above identified petitioner believes that it/he/she will be damaged by the above-  
identified registration and hereby petitions to cancel the same.

The grounds for cancellation are as follows:

1. Petitioner has been doing business as Fulcrum Financial Group for 23+ years and  
filed with the State of Washington for the Limited Liability Corporation DBA  
Fulcrum Financial Group on May 5, 2005. The above registered trademark was granted  
on a Federal level in 2009, four (4) years after  
Sarah C. Rieger doing business as Fulcrum Financial Group was registered in the State  
of Washington
2. We have maintained a website under the name of Fulcrum Financial Group since  
2008 and  
Fulcrum Financial Services has established a website with the name Fulcrum Financial  
Group. This is easily confused with our website.



**STATE OF WASHINGTON  
SECRETARY OF STATE**

**APPLICATION TO FORM A  
LIMITED LIABILITY COMPANY**

(Per Chapter 25.15 RCW)

**FEE: \$175**

- Please PRINT or TYPE in black ink
- Sign, date and return original AND

FILED  
SECRETARY OF STATE  
SAM REED

**EXPEDITED (24-HOUR) SERVICE AVAILABLE - \$20 PER ENTITY  
INCLUDE FEE AND WRITE "EXPEDITE" IN BOLD LETTERS  
ON OUTSIDE OF ENVELOPE**

CORPORATIONS DIVISION  
801 CAPITOL WAY SOUTH • PO BOX 40234  
OLYMPIA, WA 98504-0234

MAY 5, 2005

FOR OFFICE USE ONLY

FILED / / UBI: 602 504 012

- BE SURE TO INCLUDE FILING FEE. STATE OF WASHINGTON CORPORATION NUMBER: \_\_\_\_\_ should be made payable to "Secretary of State"

Important! Person to contact about this filing <b>Saran C. Rieger</b>	Daytime Phone Number (with area code) <b>509 747 2015</b>
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**CERTIFICATE OF FORMATION**

NAME OF LIMITED LIABILITY COMPANY (LLC) (Must contain the word "Limited Liability Company" "Limited Liability Co." "L.L.C." or "LLC") <b>Fulcrum Financial Group LLC</b>	
ADDRESS OF LLC'S PRINCIPAL PLACE OF BUSINESS	
Street Address (Required) <b>2900 N. Nevada</b>	City <b>Spokane</b> State <b>WA</b> ZIP <b>99207</b>
PO Box (Optional - Must be in same city as street address)	ZIP (If different than street ZIP)
EFFECTIVE DATE OF LLC (Specified effective date may be up to 90 days AFTER receipt of the document by the Secretary of State)	
<input type="checkbox"/> Specific Date: _____ <input checked="" type="checkbox"/> Upon filing by the Secretary of State	
DATE OF DISSOLUTION (If applicable)	MANAGEMENT OF LLC IS VESTED IN ONE OR MORE MANAGERS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

>>> PLEASE ATTACH ANY OTHER PROVISIONS THE LLC ELECTS TO INCLUDE <<<

NAME AND ADDRESS OF WASHINGTON STATE REGISTERED AGENT		
Name	<b>Saran C. Rieger</b>	
Street Address (Required)	City	State ZIP
<b>730 E. Plateau Rd</b>	<b>Spokane</b>	<b>WA 99203</b>
PO Box (Optional - Must be in same city as street address)	ZIP (If different than street ZIP)	
I consent to serve as Registered Agent in the State of Washington for the above named LLC. I understand it will be my responsibility to accept Service of Process on behalf of the LLC; to forward mail to the LLC; and to immediately notify the Office of the Secretary of State if I resign or change the Registered Office Address.		
Signature of Agent <b>Saran Rieger</b>	Printed Name <b>Saran C. Rieger</b>	Date <b>4-29-05</b>

NAMES ADDRESSES OF EACH PERSON EXECUTING THIS CERTIFICATE (If necessary, attach additional names and addresses)		
Printed Name	Signature	
<b>SARAH C RIEGER</b>	<b>Saran Rieger</b>	
Address	City	State ZIP
<b>730 E. Plateau Rd</b>	<b>Spokane</b>	<b>WA 99203</b>
Printed Name	Signature	
Address	City	State ZIP
Printed Name	Signature	
Address	City	State ZIP

INFORMATION AND ASSISTANCE - 360/753-7115 (TDD - 360/753-1485)

FOR OFFICE USE ONLY

UNITED STATES OF AMERICA

The State of



Washington

Secretary of State

I, **Sam Reed**, Secretary of State of the State of Washington and custodian of its seal, hereby issue this

certificate that the attached is a true and correct copy of

CERTIFICATE OF FORMATION

of

FULCRUM FINANCIAL GROUP LLC

as filed in this office on May 5, 2005.

Date: April 18, 2012



Given under my hand and the Seal of the State of Washington at Olympia, the State Capital

A handwritten signature in cursive script that reads "Sam Reed".

Sam Reed, Secretary of State