ESTTA Tracking number: **ESTTA505990**

Filing date: **11/16/2012**

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

Proceeding	92056030
Party	Plaintiff Lightforce U.S.A., Inc. DBA Nightforce Optics, Inc.
Correspondence Address	GLENN D BELLAMY WOOD HERRON & EVANS LLP 441 VINE STREET, 2700 CAREW TOWER CINCINNATI, OH 45202-2917 UNITED STATES usptodock@whe-law.com, gbellamy@whe-law.com
Submission	Other Motions/Papers
Filer's Name	Glenn D. Bellamy
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Signature	/Glenn D.Bellamy/
Date	11/16/2012
Attachments	Notice_to_TTAB.pdf (3 pages)(134313 bytes)

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

Lightforce U.S.A., Inc. DBA Nightforce Optics, Inc.,	)	
	)	Cancellation No. 92056030
Petitioner,	)	
v.	)	Registration No.: 3,232,587
	)	Registered: April 24, 2007
Malcolm & Co. LLC,	)	
	)	
Registrant.	)	

Commissioner for Trademarks
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Pursuant to 37 CFR § 2.118, Petitioner hereby formally notifies the Board that service of its Petition to Cancel was ineffective. See attached Exhibit A. Therefore, as noted in the Board's own notice dated August 16, 2012, Petitioner has fulfilled its obligations in this matter.

Respectfully submitted,

Dated: November 16, 2012

Glenn D. Bellamy
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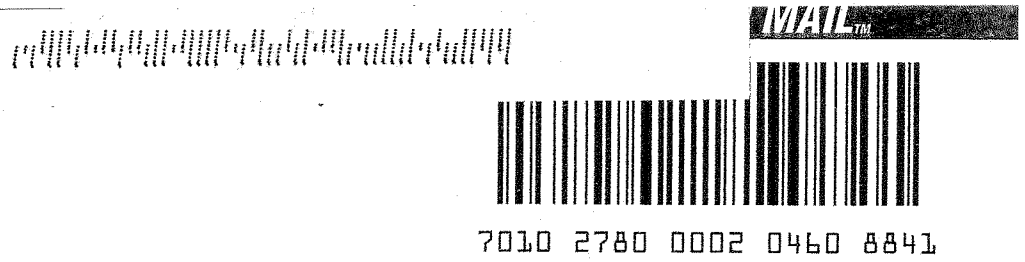
Attorneys for Petitioner
Lightforce U.S.A., Inc. DBA Nightforce Optics, Inc.

Exhibit A



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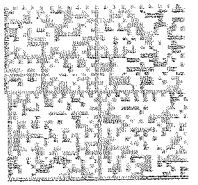

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2700 CAREW TOWER

441 VINE STREET

CINCINNATI, OHIO 45202-2917

TO: Malcolm & Co. LLC
1412 Broad
Suite 230C
New York

ACS

☐ INSUFFICIENT ADDRESS
☐ ATTEMPTED NOT KNOWN
☐ NO SUCH NUMBER/ STREET
☐ NOT DELIVERABLE AS ADDRESSED
- UNABLE TO FORWARD

☐ OTHER

RTS
RETURN TO SENDER