ESTTA Tracking number: **ESTTA966449**

Filing date: **04/11/2019**

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

Proceeding	92068736
Party	Defendant South Bay Community Services
Correspondence Address	LAWRANCE A MAXHAM THE MAXHAM FIRM PC 11682 EL CAMINO REAL STE 100, 11682 EL CAMINO REAL SUITE 100 SAN DIEGO, CA 92130 UNITED STATES lmaxham@maxhamfirm.com, lkaiser@maxhamfirm.com 858-587-7659
Submission	Other Motions/Papers
Filer's Name	Lawrence A. maxham
Filer's email	lmaxham@maxhamfirm.com, lkaiser@maxhamfirm.com
Signature	/Lawrence A. Maxham/
Date	04/11/2019
Attachments	Communication.pdf(1152974 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Trademark Application Serial No.: 87/068,062
Registration No.: 5,488,370

For the mark: SOUTH BAY COMMUNITY SERVICES

11 April 2019

Cancellation No. 92068736

SOUTH BAY MENTAL HEALTH CENTER INC.)
)
Petitioner)
)
v.)
)
SOUTH BAY COMMUNITY SERVICES)
)
Respondent)
)

RESPONDENT'S COMMUNICATION ADDRESSES

In the 10 April 2019 Trial Date Reset communication from the Board, in footnote 3 was the comment that "Respondent is reminded of its duty to maintain a current and accurate owner address and email address for the subject registration."

Please see the attached copy of the subject service mark registration which accurately shows Respondent's physical address. The corresponding email address was used in the original application for registration and was maintained throughout the prosecution of the application.

Footnote 3 goes on to make a similar statement in regard to a cancellation proceeding. Ms. Spahn had no difficulty in serving her Petition for Cancellation on the undersigned attorney on 5 June 2018, which was duly received at the correct address of this firm.

When the undersigned attorney searched the TTABVUE site and learned of the Notice of Default of 2 August 2018, a Response to Notice of Default was filed on 16 October 2018, apparently three days after default was entered, again unknown to Respondent.

Interestingly, the Board issued an ESTTA Filing Receipt to our correct email address on 16 October 2018 and on 7 January 2019.

And yet, no document, to date, including the Trial Date Reset communication of 10 April 2019, has ever been received from the Board by any means whatever. The only way the Trial Date Reset communication from the Board came to Respondent's attention is that the undersigned attorney monitored the TTABVUE site daily for the past 11 weeks.

For the record, the address for communication to Respondent's counsel is:

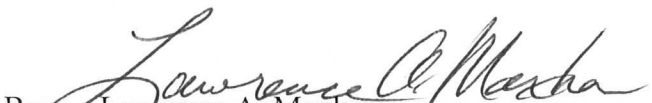
Lawrence A. Maxham
The Maxham Firm
11682 El Camino Real, Suite 100
San Diego, CA 92130
Lmaxham@maxhamfirm.com

Respondent requests that the Board use at least one of these addresses, either electronic or physical, when communicating with Respondent.

The Maxham Firm
A Professional Corporation
11682 El Camino Real, Suite 100
San Diego, California 92130
Telephone: (858) 587-7659
Facsimile: (858) 587-7658
Email: lmaxham@maxhamfirm.com
Email: lkaiser@maxhamfirm.com

Respectfully submitted,

SOUTH BAY COMMUNITY SERVICES

By: 
Lawrence A. Maxham
Attorney for Respondent
Member of the State Bar of California

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **RESPONDENT'S COMMUNICATION ADDRESSES** has been served on Lauren M. Spahn by forwarding said copy on 11 April 2019, via email and first class mail to:

Lauren M. Spahn
TN BPR No. 032377
Shackelford, Bowen, McKinley & Norton, LLP
47 Music Square East
Nashville, Tennessee 37203
Email: lspahn@shackelford.law
Telephone: 615-256-7200
Facsimile: 615-329-4485

Date: 11 April 2019

/s/ Lawrence A. Maxham
Lawrence A. Maxham
Attorney for Respondent