

ESTTA Tracking number: **ESTTA1046181**

Filing date: **03/31/2020**

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

Proceeding	92070823
Party	Plaintiff ICware Systems, Inc. dba BatchTest Corporation
Correspondence Address	DINESH PATEL BATCATEST CORPORATION 2118 WALSH AVE, SUITE 150 SANTA CLARA, CA 95050 UNITED STATES BatchTest_TM@batchtest.com 408-454-8378
Submission	Other Motions/Papers
Filer's Name	Dinesh Patel
Filer's email	BatchTest_TM@BatchTest.com
Signature	/Dinesh Patel/
Date	03/31/2020
Attachments	20200331 BatchTest Change of Name.pdf(645101 bytes)

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

In the Matter of Trademark Registration No. 4,499,170
For the Mark: BATCHTEST

ICWARE SYSTEMS INC.)	CANCELLATION NO. 92070823
dba BATCHTEST CORPORATION)	
)	
Petitioner,)	
)	
V.)	
)	
IKONIX USA LLC.)	
)	
Registrant.)	

MOTION TO CHANGE NAME OF PETITIONER IN TITLE

Effective January 1, 2020, Petitioner ICware Systems, Inc. dba BatchTest Corporation (“BatchTest”) has amended Article I of its Restated Articles of Incorporation to change the corporate name from ICware Systems, Inc. to BatchTest Corporation. The change of name was recorded at the USPTO on January 7, 2020 at Reel/Frame 006832/0557. A copy of the records for the USPTO Assignment division for the said change of name is attached as Exhibit A, also attached is a copy of the certified Restated Articles of Incorporation as Exhibit B. BatchTest has simply changed its dba name into its incorporation name. As such, pursuant to T.M.E.P. §512.02, BatchTest respectfully requests that the title of the instant cancellation proceeding be updated to reflect BatchTest’s change of name to BatchTest Corporation.

Respectfully submitted,

BatchTest Corporation

Dated: March 31, 2020

/Dinesh Patel/

Dinesh Patel

President, BatchTest Corporation

2118 Walsh Ave, Suite 150

Santa Clara, CA 95050

(408) 454-8378

Batchtest_TM@BatchTest.com

Exhibit A



UNITED STATES PATENT AND TRADEMARK OFFICE

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

JANUARY 15, 2020

PTAS

DINESH PATEL
2118 WALSH AVE
SUITE 150
SANTA CLARA, CA 95050

900529953

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: 01/07/2020

REEL/FRAME: 6832/0557
NUMBER OF PAGES: 2

BRIEF: CHANGE OF NAME

ASSIGNOR:

ICWARE SYSTEMS, INC. DBA BATCHTEST
CORPORATION

DOC DATE: 01/01/2020
CITIZENSHIP: CALIFORNIA
ENTITY: CORPORATION

ASSIGNEE:

BATCHTEST CORPORATION

2118 WALSH AVE
SUITE 150
SANTA CLARA, CALIFORNIA 95050

CITIZENSHIP: CALIFORNIA
ENTITY: CORPORATION

SERIAL NUMBER: 88723304

REGISTRATION NUMBER:

MARK: BATCHTEST

DRAWING TYPE: STANDARD CHARACTER MARK

FILING DATE: 12/11/2019

REGISTRATION DATE:

SERIAL NUMBER: 88723817

REGISTRATION NUMBER:

MARK: BULLETPROOF

DRAWING TYPE: STANDARD CHARACTER MARK

FILING DATE: 12/11/2019

REGISTRATION DATE:

ASSIGNMENT RECORDATION BRANCH
PUBLIC RECORDS DIVISION

Exhibit B

NCTO

A0839373

3105306

FILED
Secretary of State
State of California
FEB 07 2020

RESTATED ARTICLES OF INCORPORATION

zu

The undersigned certify that:

1. They are the President and the Secretary, respectively, of ICware Systems, Inc., a California corporation.
2. The Articles of Incorporation of this corporation, including a change of name, are amended and restated to read as follows:

ARTICLES OF INCORPORATION OF BATCHTEST CORPORATION

I.

The name of this corporation is **BATCHTEST CORPORATION**.

II.

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

III.

This corporation is authorized to issue only one class of shares of stock; and the total number of shares which this corporation is authorized to issue is one hundred thousand (100,000) shares.

IV.

The liability of the directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California Law.

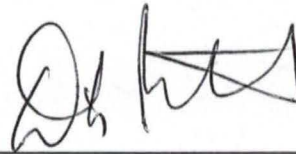
V.

The corporation is authorized to provide indemnification of agents (as defined in Section 317 of the Corporation Code) for breach of duty to the corporation and its shareholders through bylaw provisions or through agreements with the agents, or both, in excess of the indemnification otherwise permitted by Section 317 of the Corporation's Code, subject to the limits of such excess indemnification set forth in Section 204 of the Corporation Code.

- 3. The foregoing amendment and restatement of Articles of Incorporation has been duly approved by the board of directors.
- 4. The corporation has issued no shares.

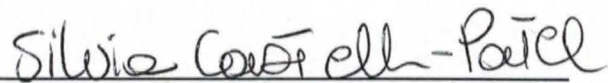
We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.

DATED: January 1, 2020

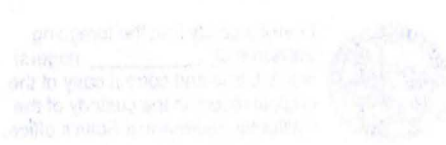


Dinesh Patel, President

DATED: January 1, 2020



Silvia Castellini-Patel, Secretary



The transcript of the proceedings of the Senate Committee on the Judiciary, in the case of the impeachment of the Governor of the State of California, is hereby certified to be a true and correct copy of the original record in the custody of the California Secretary of State's office.

I, the foregoing undersigned, Secretary of State of the State of California, do hereby certify that the foregoing transcript is a true and correct copy of the original record in the custody of the California Secretary of State's office.

We further certify under penalty of perjury under the laws of the State of California that the transcript is a true and correct copy of the original record in the custody of the California Secretary of State's office.

[Faint signature]

Clerk of the Senate

DATE: FEB 27 2020

[Faint signature]

Clerk of the Assembly

DATE: FEB 27 2020



I hereby certify that the foregoing transcript of 1 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

FEB 27 2020

RM

Date: _____

Alex Padilla
ALEX PADILLA, Secretary of State

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served upon the attorney for the other party by email on March 31, 2020 at the following email address:

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Email: mail@baconthomas.com

By: BatchTest Corporation

Signature: /Dinesh Patel/

Name: Dinesh Patel, President, BatchTest Corporation

Date: March 31, 2020