

ESTTA Tracking number: **ESTTA1102848**

Filing date: **12/18/2020**

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 parties has filed a petition to cancel the registration indicated below.

Petitioner Information

Name	WLG Atlanta, LLC		
Entity	Limited Liability Company	Citizenship	Texas
Address	10440 N. CENTRAL EXPRESSWAY SUITE 400 DALLAS, TX 75231 UNITED STATES		

Name	WLG Atlanta, LLC		
Entity	Limited Liability Company	Citizenship	Texas
Address	10440 N. CENTRAL EXPRESSWAY SUITE 400 DALLAS, TX 75231 UNITED STATES		

Attorney information	JOHN M. CONE FERGUSON BRASWELL FRASER KUBASTA PC 2500 DALLAS PARKWAY SUITE 600 PLANO, TX 75093 UNITED STATES Primary Email: jccone@fbfk.law Secondary Email(s): jmcdocket@fbfk.law , jaraiza@fbfk.law 9725675136		
Docket Number	5049.026		

Registration Subject to Cancellation

Registration No.	5816338	Registration date	07/30/2019
Registrant	The Otis Conner Companies, Inc. 4801 SPRING VALLEY ROAD, STE 105 DALLAS, TX 75244 UNITED STATES		

Goods/Services Subject to Cancellation

<p>Class 045. First Use: 2014/11/24 First Use In Commerce: 2014/11/24 All goods and services in the class are subject to cancellation, namely: Legal services; Legal services, namely, providing customized legal information, counseling, advice, and litigation services in all areas of law to people and families of modest incomes; Legal advisory services; Legal consultation services; Legal document preparation services; Mediation; Providing customized legal information, counseling, and advice, and litigation services in the field of accident and injury; Providing customized legal information, counseling, and advice, and litigation services in the field of employment;</p>

Providing customized legal information, counseling, and advice, and litigation services in the field of law enforcement misconduct; Providing customized legal information, counseling, and advice, and litigation services in the field of medical malpractice

Grounds for Cancellation

No use of mark in commerce before application, amendment to allege use, or statement of use was filed	Trademark Act Sections 14(1) and 1(a), (c), and (d)
Abandonment	Trademark Act Section 14(3)

Attachments	201214 Petition for Cancellation.pdf(116015 bytes)
-------------	---

Signature	/s/ John M Cone
Name	John M. Cone
Date	12/18/2020

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

In the Matter of Registration No. 5813999 EVOLVE PRACTICE PARTNERS

<hr/> T-SYSTEM, INC., Petitioner,	§	
	§	
v.	§	Cancellation No. _____
	§	
INDEPENDENT HEALTH	§	
ASSOCIATION, INC.,	§	
<hr/> Registrant.	§	

TO THE HONORABLE TRADEMARK TRIAL AND APPEAL BOARD:

**PETITION TO CANCEL REGISTRATION
NO. 5183999 EVOLVE PRACTICE PARTNERS**

Petitioner T-System, Inc. (“T-System”), in support of its petition to cancel Registration No. 5183999, would show the Board as follows:

1. T-System has applied to register the mark EVOLVED under S.N. 88667273 filed October 24, 2019.
2. The Trademark Office has refused registration of T-System’s mark EVOLVED on the basis of likelihood of confusion with use of the mark of Registration No. 5183999 EVOLVE PRACTICE PARTNERS. T-System is therefore damaged by Registration No. 5183999 remaining on the Register at least with respect to the class 42 services of the Registration.
3. Independent Health Association, Inc, (“IHA”), the owner of Registration No. 5183999, has, on information and belief, abandoned the mark EVOLVE PRACTICE PARTNERS for Consulting for healthcare providers in the field of healthcare operations management, namely, providing consulting relating to medical billing services to

individual physicians and group practices; providing medical practice management services to individual physicians and group practices; providing medical billing services to individual physicians and group practices; analytics of population health within individual physicians practices and group practices, namely, collection and analysis of quality metric data for individual physicians and group practices for business purposes; business consultancy services to individual physicians and group practices on business best practices (class 35) and Providing temporary use of on-line non-downloadable population health management software in the nature of software for use in database management in individual physician and group practices in the healthcare field; providing on-line, non-downloadable, Internet-based population health management software application for medical billing for individual physicians and group practices (class 42). In particular, IHA has discontinued use of the registered mark in connection with all of those services with intent not to resume its use.

4. The following notice has been posted on Evolve Practice Partners LinkedIn page:



5. In response to inquiries, Independent Health Association confirmed they are no longer affiliated with any company called Evolve. Evolve Practice Partners was strictly the name of their affiliate company. They do not have any affiliates called Evolve any longer and do not have any plans to use the mark Evolve Practice Partners in the future.

WHEREFORE, T-System prays that Registration No. 5813999 be cancelled.

Dated: December 15, 2020

Respectfully submitted,

/s/ John M. Cone
John M. Cone
Ferguson Braswell Fraser Kubasta PC
2500 Dallas Parkway, Suite 600
Plano, Texas 75093
(972) 826-4436 Direct
(972) 378-9115 Fax
jcone@fbfk.law

ATTORNEY FOR PETITIONER
T-SYSTEM, INC.