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Filing date: **12/16/2014**

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

Proceeding	94002616
Party	Applicant Cyanotech Corporation
Correspondence Address	GEORGE E DARBY DARBY LAW CORPORATION PO BOX 893010 MILILANI, HI 96789-0010 UNITED STATES pto@teleport-asia.com
Submission	Other Motions/Papers
Filer's Name	George E. Darby
Filer's e-mail	pto@teleport-asia.com
Signature	/George E. Darby/
Date	12/16/2014
Attachments	94002616 Ntc & Cert. of Serv re UndelivServCopy M.Loppe.pdf(24724 bytes) 94002616 Exhibit A NtcOfUndeliverableSrcvCopy M.Loppe.pdf(123547 bytes)

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

Concurrent Use No. 94002616

Cyanotech Corporation
Serial Nos. 85423915 and 85423883

v.

Nutrex nv
Registration Nos. 3798632 and
3849395

Nutrex Research, Inc.
Registration Nos. 3870696 and
3870697

Monique Loppe
Common Law User

Notice of Undeliverable Service Copy

16 December 2014

**Notice of Undeliverable Service Copy of Trademark Applications
Serial Nos. 85423915 and 85423883**

Notice is hereby given that the USPS online database reports that the service copies to Defendant Monique Loppe of U.S. Trademark Application Serial Nos. 85423915 and 85423883 have not been delivered after multiple delivery attempts.

Delivery of service copies of Plaintiff's U.S. Trademark Application Serial Nos. 85423915 and 85423883 addressed to Monique Loppe (common law user) was first attempted on 05 December 2014. That attempted delivery, and all subsequent delivery attempts made by the French post office at the address of record for Ms. Loppe, have been unsuccessful, based on the USPS online records of Exp. Mail No. ED 845295695 US. A true and accurate copy of said USPS online records as of 16 December 2014 is attached hereto as Exhibit A.

Plaintiff Cyanotech has not yet received any "returned service copy" or formal notice that the French post office has deemed the service copy undeliverable. However, given the fact that the address is in France, the service copy may not be returned and there may not be any formal notice from the French post office that the service copy is undeliverable. Given the passage of 10 days from the first delivery attempt, and multiple unsuccessful delivery attempts, Plaintiff assumes the service copy to Defendant Monique Loppe is undeliverable.

16 December 2014

/George E. Darby/
George E. Darby
Reg. No. 44,053
Darby Law Corporation
Counsel for Plaintiff
CYANOTECH
CORPORATION

Certificate of Service

I hereby certify that true and complete copies of the Notice of Undeliverable Service Copy are being served on the Defendants listed below via the USPTO ESTTA system:

Nutrex NV
Achterstenhoek 5
Lille, 2275
Belgium

Nutrex Research , Inc
c/o Allen, Dyer, et al.
Suite 1401
255 South Orange Ave.
Orlando Florida 32801
Counsel for Nutrex Research, Inc.

Monique Loppe
33 Avenue de Saxe
Paris 75007
France

16 December 2014

/ George E. Darby /
George E. Darby
Reg. No. 44,053
Darby Law Corporation

Counsel for Plaintiff
CYANOTECH
CORPORATION



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Tracking Number: ED845295695US

Scheduled Delivery Day: Thursday, December 4, 2014

Product & Tracking Information

Postal Product:

Priority Mail Express International™

Features:

PO to Addressee

Up to \$100 insurance included

Available Actions

[Text Updates](#)
[Email Updates](#)

DATE & TIME	STATUS OF ITEM	LOCATION
December 5, 2014 , 12:16 pm	Addressee not available - Will attempt delivery on next working day	FRANCE
Your item could not be delivered on December 5, 2014 at 12:16 pm in FRANCE due to the addressee not available at time of delivery. It is scheduled for another delivery attempt tomorrow.		
December 5, 2014 , 10:26 am	Out for Delivery	
December 5, 2014 , 5:57 am	Arrival at Post Office	FRANCE
December 4, 2014 , 10:47 am	Customs clearance processing complete	FRANCE
December 4, 2014 , 9:34 am	Customs Clearance	FRANCE
December 4, 2014 , 9:32 am	Processed Through Sort Facility	FRANCE
December 3, 2014 , 12:56 pm	Departed	Paris, FRANCE
December 3, 2014 , 9:14 am	Departed	Paris, FRANCE
December 2, 2014 , 6:34 pm	Departed	Newark, UNITED STATES
December 1, 2014 , 7:47 pm	Departed	Newark, UNITED STATES
November 29, 2014 , 10:19 pm	Departed	Honolulu, UNITED STATES
November 29, 2014 , 3:32 pm	Arrived	Honolulu, UNITED STATES
November 28, 2014 , 9:59 pm	Processed Through Sort Facility	P&DC HONOLULU HI 968 (USPS)
November 28, 2014 , 9:58 pm	Arrived at Sort Facility	P&DC HONOLULU HI 968 (USPS)
November 28, 2014 , 6:24 pm	Departed Post Office	MILILANI, HI 96789
November 28, 2014 , 3:35 pm	Arrived at USPS Origin Facility	HONOLULU, HI 96820

DATE & TIME	STATUS OF ITEM	LOCATION
November 28, 2014 , 10:36 am	Acceptance	MILILANI, HI 96789

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Tracking (or receipt) number

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