

07-10-2001



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RECORDATION FORM COVER SHEET  
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- New
- Resubmission (Non-Recordation)  
Document ID #
- Correction of PTO Error  
Reel #  Frame #
- Corrective Document  
Reel #  Frame #

Conveyance Type

- Assignment  License
- Security Agreement  Nunc Pro Tunc Assignment  
Effective Date  
Month Day Year
- Merger
- Change of Name
- Other

Conveying Party

Mark if additional names of conveying parties attached Execution Date  
Month Day Year

Name

Formerly

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)     
City State/Country Zip Code

- Individual  General Partnership  Limited Partnership  Corporation  Association
- Other
- Citizenship/State of Incorporation/Organization

If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

FOR OFFICE USE ONLY

07/11/2001 GTOM11 00000082 501848 1903898

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Mail documents to be recorded with required cover sheet(s) information to:  
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TRADEMARK

REEL: 002284 FRAME: 0460

**Domestic Representative Name and Address**

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

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**Correspondent Name and Address**

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

#

**Trademark Application Number(s) or Registration Number(s)**

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

**Trademark Application Number(s)**

**Registration Number(s)**

<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

<input type="text" value="1,903,898"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Number of Properties**

Enter the total number of properties involved.

#

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

**Statement and Signature**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

James M. Graziano, Reg. No. 28,300

Name of Person Signing



Signature

14 MAY 2001

Date Signed

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
ASSIGNMENT DIVISION**

Mark: ACTIVE RELEASE TECHNIQUES  
 Registration No: 1,903,898  
 Reel/Frame: 2237/0276  
 Recordation Date: February 9, 2001

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence, along with all papers referred to as being enclosed or attached, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Trademarks, Box: Assignments, CG-4, 1213 Jefferson Davis Hwy, 3<sup>rd</sup> Floor, Washington D.C. 20231:

Mailer's Signature: *[Handwritten Signature]* Date: *May 14, 2001*

U.S. Patent and Trademark Office - Assignment Division  
**Box Assignments**  
**Attn: Rhonda Nicol**  
 CG-4, 1213 Jefferson Davis Highway, 3<sup>rd</sup> Floor  
 Washington, D.C. 20231

**REQUEST FOR NULLIFICATION OF ASSIGNMENT  
- REQUEST TO EXPEDITE -**

Applicant's attorney respectfully requests that the above-referenced assignment recorded at reel no. 2237, frame no. 0276, from P. Michael Leahy, an individual, to Active Release Techniques, LLC, a Colorado limited liability company, be nullified

A recent communication from the United States Trademark Office Post Registration Division refused Applicant's Section 8 Affidavit of Use submitted on October 23, 2000, because it was unclear whether the party who filed the Section 8 Affidavit is the current owner of the trademark. The reason the ownership is unclear is because of a break in the chain of assignment titles, i.e., there is no record showing the registration being transferred from Active Release Techniques, LLP to P. Michael Leahy, the latter of which signed the Section 8 Affidavit. The above-referenced assignment transfers ownership from individual P. Michael Leahy to Active Release Techniques, LLC, but there is no assignment

transferring ownership from Active Release Techniques, LLP to P. Michael Leahy, therefore, P. Michael Leahy is not in a position to transfer ownership to Active Release Techniques, LLC.

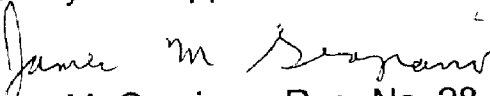
Applicant's goal is to transfer the registration to Active Release Techniques, LLC. After speaking with several Examiners within the Assignment Division, it is believed nullifying the "incorrect" assignments is the most efficient course of action. If the incorrect assignments (there are two (2)) are nullified, the Applicant can correctly transfer ownership of the mark from Active Release Techniques, LLP to Active Release Techniques, LLC.

Additionally, because of the statutory deadline in which to respond to the Post Registration Division's refusal of Applicant's Section 8 Affidavit, Applicant's attorney respectfully requests the processing of this nullification be expedited. Please charge Deposit Account No. 501848 in the amount of \$160.00 (\$40 assignment nullification fee, \$120.00 Request to Expedite fee).

### **Conclusion**

Applicant's attorney respectfully solicits nullification of the assignment recorded on February 9, 2001, and requests that this nullification be expedited. The undersigned attorney requests the Examiner to telephone if a conversation could expedite processing the nullification and/or if there are any questions or inadequacies with regard to this request. It is believed no additional fees are due for this response. However, if additional fees are seen to be due, the Commissioner of Trademarks is authorized to charge the appropriate amount to Deposit Account No.: 50-1848.

Respectfully submitted,  
**Patton Boggs LLP**  
Attorneys for Applicant;

  
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