

TRADEMARK ASSIGNMENT

Electronic Version v1.1
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Correction by Declaration of Recording		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Mr. Christopher E. Walach		12/16/2011	INDIVIDUAL: UNITED STATES
RECEIVING PARTY DATA			
Name:	Mr. Christopher E. Walach		
Street Address:	2747 Paradise Road, # 2801		
City:	las vegas		
State/Country:	NEVADA		
Postal Code:	89109		
Entity Type:	INDIVIDUAL: UNITED STATES		
PROPERTY NUMBERS Total: 1			
Property Type	Number	Word Mark	
Serial Number:	77825849	SMART KENNEL ARK	
CORRESPONDENCE DATA			
Fax Number:	(702)737-5883		
Phone:	702-737-5855		
Email:	cwalach@gmail.com		
<i>Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.</i>			
Correspondent Name:	Christopher E. Walach		
Address Line 1:	2747 Paradise Road		
Address Line 4:	las vegas, NEVADA 89109		
NAME OF SUBMITTER:	Christopher E. Walach		
Signature:	/CHRISTOPHER E. WALACH/		
Date:	12/16/2011		
Total Attachments: 2 source=Correction of Conveyance_16 Dec 11#page1.tif source=Correction of Conveyance_16 Dec 11#page2.tif			

OP \$40.00 77825849

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

To the Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

In the matter of Application Serial No. 77/825,849, Published in the Official Gazette on August 3, 2010

CHRISTOPHER E. WALACH
Applicant

CERTIFICATE OF MAILING

I HEREBY CERTIFY that the original of this Correction of Declaration and Request to Nullify Assignment is being electronically filed with the Trademark Trial and Appeal Board of the United States Patent and Trademark Office through the web site at <http://esita.uspto.gov> on December 16, 2011.

/CHRISTOPHER E. WALACH/
CHRISTOPHER E. WALACH

**CORRECTION OF DECLARATION AND REQUEST TO NULLIFY
ASSIGNMENT FILED BY GULF COAST NUTRITIONAL, 7 OCTOBER 2011
REEL/FRAME 4637/0778**

1. Applicant, Christopher E. Walach, 2747 Paradise Road, Suite 2801, Las Vegas, Nevada 89109 (hereinafter "Applicant"), hereby responds to the recent notification of the United States Patent and Trademark Office Notice of Allowance order of 6 December 2011 listing Gulf Coast Nutritionals, INC as the owner of said application serial number 77/825,849. The assignment request was made on 7 October 2011 by Jennifer L. Whitelaw of Whitelaw Legal group.
2. In accordance with section 1B, Chapter 500 501.01 (A) (TMEP) the U.S. Patent and Trademark Office, the mark was not in use at the time of recording; therefore, an assignment/recording should not have been issued AND the recording by Whitelaw Legal Group should be dully nullified.
3. The agreement made by the applicant Christopher E. Walach and Gulf Coast Nutritional prior to 15 December of 2010 was contingent upon the Trial and Appeals board's decision to approve a change in the mark from "Smart Kennel ARK" to "Smart Kennel" as per the agreement between Christopher E. Walach and Gulf Coast Nutritional. This motion was subsequently denied by the Trial and Appeals board based on the fact that

the agreement between Christopher E. Walach and Gulf Coast Nutritional would have caused a material change in the mark by applicant Christopher E. Walach AND opposed by Gulf Coast Nutritional. Since this agreement was denied, which was the only intent/purpose for the agreement in the first place, the denial by the USPTO nullified any agreement made by Christopher E. Walach and Gulf Coast Nutritional thereafter. The agreement was to drop the use of the word ARK from the mark and in no way was any agreement made to freely sign over all interests in the application by Christopher E. Walach in the current application 77/825,849 and register a mark or give ownership to Gulf Coast Nutritional. Christopher E. Walach agreed to not use ARK, which was part of Gulf Coast Nutritional prior registration; however, no agreement was made to sign over all interest to Gulf Coast Nutritional in the current application of 77/825,849 without the USPTO Trial and Appeal board approving the motion to amend in the original application, which was subsequently denied.

4. The applicant respectfully requests that the Commissioner for the United States Patent and Trademark Office nullifies the current assignment made by Gulf Coast Nutritional for applicant's serial number 77/825,849 based on the facts listed in # 2 and 3 above.

APPLICANT

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