

RF 3/5/09

03-12-2009

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103552092

To the Director of the U. S. Patent and Trademark Office, _____ documents or the new address(es) below.

1. Name of conveying party(ies):

Arrowhead Brass Products, Inc.

- Individual(s)
- General Partnership
- Corporation- State: _____
- Other _____
- Association
- Limited Partnership

Citizenship (see guidelines) _____

Additional names of conveying parties attached? Yes No

3. Nature of conveyance /Execution Date(s) :

Execution Date(s) 5/15/06

- Assignment
- Security Agreement
- Other _____
- Merger
- Change of Name

2. Name and address of receiving party(ies)

Additional names, addresses, or citizenship attached? Yes No

Name: Arrowhead Brass Products, LLC

Internal Address: _____

Address: _____

Street Address: 5147 Alhambra Avenue

City: Los Angeles

State: CA

Country: _____ Zip: 90032

Association Citizenship _____

General Partnership Citizenship _____

Limited Partnership Citizenship _____

Corporation Citizenship _____

Other LLC Citizenship California

If assignee is not domiciled in the United States, a domestic representative designation is attached: Yes No
(Designations must be a separate document from assignment)

4. Application number(s) or registration number(s) and identification or description of the Trademark.

A. Trademark Application No.(s)

B. Trademark Registration No.(s)

2,006,253; 2,076,903 and 2,010,123

Additional sheet(s) attached? Yes No

C. Identification or Description of Trademark(s) (and Filing Date if Application or Registration Number is unknown):

ABP; BP and Arrowhead Design; ARROWHEAD and Design

5. Name & address of party to whom correspondence concerning document should be mailed:

Name: Michael P. Martin

Internal Address: Yanny & Smith

Street Address: 1801 Century Park East, 23rd Floor

City: Los Angeles

State: CA Zip: 90067

Phone Number: (310) 551-2966

Fax Number: (310) 551-1949

Email Address: mmartin@yannylaw.com

6. Total number of applications and registrations involved:

3

7. Total fee (37 CFR 2.6(b)(6) & 3.41) \$ 90.00

- Authorized to be charged by credit card
- Authorized to be charged to deposit account
- Enclosed

8. Payment Information:

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 25-0050

Authorized User Name Michael P. Martin

9. Signature:

Signature

May 15, 2006

Date

Michael P. Martin
Name of Person Signing

Total number of pages including cover sheet, attachments, and document: 1

Documents to be recorded (including cover sheet) should be faxed to (571) 273-0140, or mailed to:
Mail Stop Assignment Recordation Services, Director of the USPTO, P.O. Box 1450, Alexandria, VA 22313-1450

RECEIVED

UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 10 2008
YANNY & SMITH

REGISTRATION NO: 2,010,123

September 3, 2008

REGISTRANT: Arrowhead Brass Products, Inc.



CORRESPONDENT ADDRESS:
JOSEPH A. YANNY
YANNY & SMITH
1801 CENTURY PARK EAST
23RD FLOOR
LOS ANGELES, CA 90067

RETURN ADDRESS:
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MARK: ARROWHEAD

CORRESPONDENT'S REFERENCE/DOCKET NO: 3069

Please provide in all correspondence:

CORRESPONDENT EMAIL ADDRESS:

1. Registration date, registration number, mark and registrant's name.
2. Date of this Office Action.
3. Examiner's name and Post Registration Division.
4. Your telephone number and e-mail address.

POST REGISTRATION OFFICE ACTION

RE: Registration Number 2,010,123

The Combined Section 8 Affidavit & Section 9 Renewal Application submitted on October 13, 2006, cannot be accepted for the reasons set forth below.

The party who filed the Section 8 Affidavit must establish its ownership of the subject registration. Trademark Act Section 8 requires the current owner of the registration to file the Section 8 Affidavit. 15 U.S.C. §1058; 37 C.F.R. §§2.161(a) and 3.73(b); TMEP §1604.07(a). Office records do not show clear chain of title in the party who filed the Section 8 Affidavit.

Office records show clear chain of title to the registration in **Arrowhead Brass Products, Inc.**. However, the party who filed the Section 8 Affidavit is identified as **Arrowhead Brass Products, LLC**.

The party who filed the Section 8 Affidavit must establish its current ownership of the subject registration as of September 11, 2006, the date the Section 8 Affidavit was signed. 15 U.S.C. §1058; 37 C.F.R. §2.161(a); TMEP §1604.07(a). Ownership can be established by satisfying one of the following: (1) recording the appropriate documents with the Assignment Division of the Office; or (2) submitting actual evidence showing the transfer of title to the party who filed the Section 8 Affidavit. 37 C.F.R. §3.73(b); TMEP §§502.01 and 1604.07(b). More information about these two methods for establishing ownership of the subject registration appears directly below.

TRADEMARK

REEL: 003952 FRAME: 0393

(1) If the present owner chooses to **record the appropriate documents with the Assignment Division, the documents must be recorded before expiration of the time for filing a response.** In addition, you must notify the undersigned when the documents have been recorded. For information regarding recording assignments, name changes and mergers, please visit the webpage <http://www.uspto.gov/web/trademarks/workflow/assign.htm> and see TMEP §§503 *et seq.* For specific questions, please contact the Assignment Division at 571-272-3350. To expedite recordation, the owner is encouraged to file requests for recordation through the Electronic Trademark Assignment System (ETAS) at <http://etas.uspto.gov>. There is a fee for recording ownership documents.

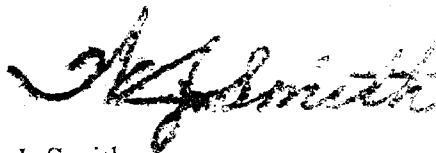
(2) If the present owner prefers to **submit actual evidence of ownership** directly to the undersigned paralegal, copies of the actual documents transferring title or a statement explaining the valid transfer of legal title must be submitted. If submitting a statement of facts explaining the transfer of title, this statement must be verified with an affidavit or a signed declaration under 37 C.F.R. §2.20. See 37 C.F.R. §3.73 and TMEP §502.

Please note that if the party who filed the Section 8 Affidavit submits sufficient evidence to establish ownership but the ownership documents are not recorded with the Assignment Division before expiration of the time to file a response, then the acceptance notice will issue in the name of the owner of record. 37 C.F.R. §3.85; TMEP §502.02.

However, if the **wrong party** filed the Section 8 Affidavit and there **is time remaining** in the statutory filing period, the current owner must file a new Section 8 Affidavit with a new fee or the registration will be cancelled. If the new Section 8 Affidavit is filed during the six-month grace period, the owner must pay the filing fee for the Section 8 Affidavit *and* the grace period fee. 15 U.S.C. §1058; 37 C.F.R. §§2.160 and 2.161; TMEP §1604.07(a)

If the **wrong party** filed the Section 8 Affidavit and there is **no time remaining** in the statutory filing period, the current owner cannot file a new Section 8 Affidavit. The registration will be cancelled. 15 U.S.C. §1058; 37 C.F.R. §2.164(b); TMEP §1604.07(a). This is not a deficiency that can be cured after the expiration of the grace period. See *In re Precious Diamonds, Inc.*, 635 F.2d 845, 208 USPQ 410 (C.C.P.A. 1980); *In re Media Central IP Corp.*, 65 USPQ2d 1637 (Dir USPTO 2002).

RESPONSE TIME DEADLINE: A complete response must be received within 6 months from the mailing date of this Office action. The owner must respond to all inquiries set forth in this Office action to avoid cancellation of the registration. 37 C.F.R. §2.163(b); TMEP §1604.16.



W. J. Smith
Affidavit/Renewal Examiner
Post Registration Division
Office of Trademark Services
(571) 272-9552 Phone
(571) 273-9552 Fax

How to respond to this Office Action:

To respond formally via regular mail, your response should be sent to the mailing Return Address listed above and include the registration number, the words 'Post Registration' and the examiner's name on the upper right corner of each page of your response.

To check the status of your application at any time, visit the Office's Trademark Applications and Registrations Retrieval (TARR) system at <http://tarr.uspto.gov/>

FOR INQUIRIES OR QUESTIONS ABOUT THIS OFFICE ACTION, PLEASE CONTACT THE ASSIGNED EXAMINER.