

United States of America

United States Patent and Trademark Office

DIABLO CARPET CARE

Reg. No. 4,980,767

Registered June 21, 2016

Int. Cl.: 37

SERVICE MARK

PRINCIPAL REGISTER

ECKSTEIN, GREGORY (UNITED STATES INDIVIDUAL), DBA DIABLO CARPET
P.O. BOX 4894
WALNUT CREEK, CA 94596

FOR: CARPET CLEANING, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 12-1-1981; IN COMMERCE 12-1-1981.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CARPET CARE", APART FROM THE MARK AS SHOWN.

THE ENGLISH TRANSLATION OF "DIABLO" IN THE MARK IS "DEVIL".

SER. NO. 86-515,607, FILED 1-27-2015.

ANNE FARRELL, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.



Please note that U.S. Customs & Border Protection (CBP), a bureau of the Department of Homeland Security, maintains a trademark recordation system for marks registered at the United States Patent and Trademark Office. Parties who register their marks on the Principal Register may record these marks with CBP, to assist CBP in its efforts to prevent the importation of goods that infringe registered marks. The recordation database includes information regarding all recorded marks, including images of these marks. CBP officers monitor imports to prevent the importation of goods bearing infringing marks, and can access the recordation database at each of the 317 ports of entry.

CBP's Intellectual Property Rights e-Recordation (IPRR) system, located at <https://apps.cbp.gov/e-recordations/>, allows right holders to electronically file IPR recordation applications, thus significantly reducing the amount of time normally required to process paper applications. Some additional benefits of the system include:

- Elimination of paper applications and supporting documents.
- Copies of the certificate issued by the registering agency (U.S. Patent and Trademark Office or the Copyright Office) are retained by the right holder, not submitted to CBP.
- Payment by credit card (preferred), check or money order.
- Ability to upload images of the protected work or trademark, thus obviating the need to send samples to CBP.
- Reduced time from filing of the application to enforcement by field personnel.

Information about how to obtain a recordation, and about CBP's Intellectual Property Rights border enforcement program, is available at CBP's web site, www.cbp.gov.

**INFORMATION FROM THE USPTO CONCERNING COURTESY E-MAIL
REMINDERS OF TRADEMARK REGISTRATION MAINTENANCE DEADLINES
AND WARNING ABOUT UNOFFICIAL SOLICITATIONS**

E-mail Authorization and Current E-mail Address Required to Receive Courtesy E-mail Reminders of Registration Maintenance Deadlines

As a courtesy to registration owners who authorize e-mail communication and maintain a current e-mail address with the United States Patent and Trademark Office (USPTO), the USPTO will issue courtesy e-mail reminders when your deadline approaches to file the necessary maintenance filings to keep your registration active. No reminders will be sent by regular mail. If you have authorized receipt of correspondence by e-mail, please make sure that you have added the USPTO to your "approved senders list" and/or that your server will accept USPTO e-mail and not treat it as junk mail.

The Trademark Electronic Application System (TEAS) Change of Correspondence Address and Change of Owner Address Forms (available through USPTO.gov) should be used to update and add e-mail address information. If an attorney represented you prior to registration but the representation is not ongoing, please use the same form to remove the attorney e-mail address(es) and provide your own, so that the reminders come directly to you.

Beware of Unofficial Trademark Solicitations

The USPTO's e-mail reminders will direct you to make the necessary filings and pay the associated fees online through TEAS, and will not request any fees by mail. Please be aware that private companies not associated with the USPTO often use trademark application and registration information from the USPTO's databases to mail or e-mail trademark-related solicitations. These may include offers: (1) for legal services; (2) for trademark monitoring services; (3) to record trademarks with U.S. Customs and Border Protection; and (4) to "register" trademarks in a private registry.

These companies may use names that resemble the USPTO name, including, for example, one or more of the terms "United States," "U.S.," "Trademark," "Patent," "Registration," "Office," or "Agency." Some companies attempt to make their solicitations mimic the look of official government documents by using official government data that is publicly available from USPTO records. Many refer to other government agencies and sections of the U.S. Code. Most require "fees" to be paid. **All official correspondence will be from the "United States Patent and Trademark Office" in Alexandria, VA, and if by e-mail, specifically from the domain "@uspto.gov."**

If you receive a trademark-related solicitation that you believe is deceptive, you may file an online consumer complaint with the Federal Trade Commission ("FTC"), at www.FTC.gov. In addition, the USPTO encourages recipients of deceptive trademark-related solicitations to contact their states' consumer protection authorities.

For additional information, please visit the page on the USPTO.gov website entitled **"WARNING: Non-USPTO Solicitations That May Resemble Official USPTO Communications."**