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Trademark Electronic Application System

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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register Handwritten Signature

To the Commissioner for Trademarks:

MARK: SPARTAN (Standard Characters, see below)

SPARTAN

The literal element of the mark consists of SPARTAN. The mark consists of standard characters, without claim to any particular font style, size, or color.

The applicant, STRESS-CRETE HOLDINGS INC, a corporation of Canada, having an address of
840 Walker Line
Burlington L7R3X9
Canada
agordon@regencylawgroup.ca

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 006: sport lighting equipment, namely metal utility poles, bollards and mounting arms for luminaires
Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 2025773, filed 05/01/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant

does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 009: sports lighting equipment, namely electrical control systems for lighting systems and lighting control panels

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 2025773, filed 05/01/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 011: sports lighting equipment, namely luminaires and lighting fixtures

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 2025773, filed 05/01/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 019: sports lighting equipment, namely centrifugally cast poles made of concrete, utility poles and bollards

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 2025773, filed 05/01/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 037: installation and repair of sports lighting equipment, namely centrifugally cast poles made of concrete, utility poles, bollards, luminaires, lighting fixtures, electrical control systems for lighting systems and lighting control panels

Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 2025773, filed 05/01/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

International Class 040: manufacture of sports lighting equipment, namely centrifugally cast poles made of concrete, utility

poles, bollards, luminaires and lighting fixtures, electrical control systems for lighting systems and lighting control panels.
Intent to Use: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services.

Priority based on foreign filing: The applicant has a bona fide intention, and is entitled, to use the mark in commerce on or in connection with the identified goods/services and asserts a claim of priority based on Canada application number 2025773, filed 05/01/2020.

INTENT TO PERFECT 44(d) : At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

The owner's/holder's proposed attorney information: Sherry L. Rollo. Recognized Canadian attorney(s)/agent(s) is/are Michele Ballagh. Sherry L. Rollo of Hahn Loeser & Parks LLP, is a member of the Illinois bar, admitted to the bar in 2004, bar membership no. 6283866, and the attorney(s) is located at

Suite 2700
200 West Madison Street
Chicago, Illinois 60606
United States
ipdocket@hahnlaw.com

Sherry L. Rollo submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

The applicant's current Correspondence Information:

Sherry L. Rollo

PRIMARY EMAIL FOR CORRESPONDENCE: ipdocket@hahnlaw.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): srollo@hahnlaw.com;
sgeers@hahnlaw.com; info@ballaghedward.ca

Requirement for Email and Electronic Filing: I understand that a valid email address must be maintained by the applicant owner/holder and the applicant owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

A fee payment in the amount of \$275 will be submitted with the application, representing payment for 1 class(es).

Declaration

Read the following statements before signing. Acknowledge the statements by signing below.

- **Basis:**

- **If the applicant is filing the application based on use in commerce under 15 U.S.C. § 1051(a):**

- The signatory believes that the applicant is the owner of the trademark/service mark sought to be registered;
 - The mark is in use in commerce and was in use in commerce as of the filing date of the application on or in connection with the goods/services in the application;
 - The specimen(s) shows the mark as used on or in connection with the goods/services in the application and was used on or in connection with the goods/services in the application as of the application filing date; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.

- **And/Or**

- **If the applicant is filing the application based on an intent to use the mark in commerce under 15 U.S.C. § 1051(b), § 1126(d), and/or § 1126(e):**

- The signatory believes that the applicant is entitled to use the mark in commerce;
 - The applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date on or in connection with the goods/services in the application; and
 - To the best of the signatory's knowledge and belief, the facts recited in the application are accurate.
 - To the best of the signatory's knowledge and belief, no other persons, except, if applicable, concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other persons, to cause confusion or mistake, or to deceive.
 - To the best of the signatory's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions made above have evidentiary support.
 - The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Signature Section:

NOTE: The same person may sign the declaration on behalf of the other joint applicant(s), by merely making identical entries. The USPTO will presume that the one person who has signed was, in fact, authorized to sign on behalf of the other person(s).

Signature: 
Signatory's Name: Michael Schwenger

SIGN HERE

Signatory's Position:

 CEO

Signatory's Phone Number:

800-268-7809

Date Signed:

10/30/20

NOTE TO APPLICANT: When filed as part of the electronic form (i.e., scanned and attached as an image file), the signature page **must** include both the signature information **and** the declaration language. Do **not** include the entire application, but do ensure that the declaration language actually appears; *a signature by itself will not be acceptable*. If, due to browser limitations, the declaration language appears on a previous page when printed, you must "merge" the declaration and signature block onto a single page prior to signing, so that the *one complete page* can be scanned to create an acceptable image file. It is recommended that you copy-and-paste the entire text form into another document, manipulate the spacing there to move the declaration and signature section to a separate page, and then print this new version of the text form to send to the signatory.

IMPORTANT INFORMATION FOR APPLICANT:

No filing fee refunds

Once your application is submitted, the USPTO we will not cancel the filing or refund your fee. The fee is a processing fee, which the USPTO does not refund even if a registration is not issued after substantive review of the application. This is true regardless of how soon after submission you might attempt to request cancellation of the filing.

All information submitted made public

All information submitted to the USPTO at any point in the application and/or registration process will become public record, including your name, phone number, email address, and street address. Please be aware that **YOU HAVE NO RIGHT TO CONFIDENTIALITY** in the information disclosed. The public will be able to view the information in the USPTO's on-line databases and through internet search engines and other on-line databases and may use this information to contact you directly. This information will remain public even if the application is later abandoned or any resulting registration is surrendered, cancelled, or expired. For any information that may be subject to copyright protection, by submitting it to the USPTO, the filer is representing that he or she has the authority to grant, and is granting, the USPTO permission to make the information available in its on-line database and in copies of the application or registration record.

Review of application

Registration is not automatic or guaranteed. A USPTO examining attorney will review your application approximately three months after the filing date for compliance with all legal requirements. This may result in a letter (an "Office action") being issued that will require you to submit a response within a strict time deadline, even if a filing company has filed the original application on your behalf. Failure to submit a timely response will result in the abandonment of your application.

[Back](#)

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PTO Form 1478 (Rev 09/2006)

OMB No. 0651-0009 (Exp 02/28/2021)

Trademark/Service Mark Application, Principal Register

NOTE: Data fields with the * are mandatory. The wording "(if applicable)" appears where the field is only mandatory under the facts of the particular application.

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	N/A
MARK INFORMATION	
*MARK	mark.jpg
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
LITERAL ELEMENT	SPARTAN

MARK STATEMENT The mark consists of standard characters, without claim to any particular font style, size, or color.

APPLICANT INFORMATION

***OWNER OF MARK** STRESS-CRETE HOLDINGS INC

***MAILING ADDRESS** 840 Walker Line

***CITY** Burlington

***COUNTRY/REGION/JURISDICTION/U.S. TERRITORY** Canada

***ZIP/POSTAL CODE**
(Required for U.S. and certain international addresses) L7R3X9

***EMAIL ADDRESS** agordon@regencylawgroup.ca

LEGAL ENTITY INFORMATION

TYPE corporation

STATE/COUNTRY/REGION /JURISDICTION/U.S. TERRITORY OF INCORPORATION Canada

GOODS AND/OR SERVICES AND BASIS INFORMATION

INTERNATIONAL CLASS 006

***IDENTIFICATION** sport lighting equipment, namely metal utility poles, bollards and mounting arms for luminaires

FILING BASIS SECTION 1(b)

FILING BASIS SECTION 44(d)

FOREIGN APPLICATION NUMBER 2025773

FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY Canada

FOREIGN FILING DATE 05/01/2020

INTENT TO PERFECT 44(d) At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

INTERNATIONAL CLASS 009

***IDENTIFICATION** sports lighting equipment, namely electrical control systems for lighting systems and lighting control panels

FILING BASIS SECTION 1(b)

FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	2025773
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Canada
FOREIGN FILING DATE	05/01/2020
INTENT TO PERFECT 44(d)	At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.
INTERNATIONAL CLASS	011
*IDENTIFICATION	sports lighting equipment, namely luminaires and lighting fixtures
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	2025773
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Canada
FOREIGN FILING DATE	05/01/2020
INTENT TO PERFECT 44(d)	At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.
INTERNATIONAL CLASS	019
*IDENTIFICATION	sports lighting equipment, namely centrifugally cast poles made of concrete, utility poles and bollards
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	2025773
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Canada
FOREIGN FILING DATE	05/01/2020

INTENT TO PERFECT 44(d)	At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.
INTERNATIONAL CLASS	037
*IDENTIFICATION	installation and repair of sports lighting equipment, namely centrifugally cast poles made of concrete, utility poles, bollards, luminaires, lighting fixtures, electrical control systems for lighting systems and lighting control panels
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	2025773
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Canada
FOREIGN FILING DATE	05/01/2020
INTENT TO PERFECT 44(d)	At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.
INTERNATIONAL CLASS	040
*IDENTIFICATION	manufacture of sports lighting equipment, namely centrifugally cast poles made of concrete, utility poles, bollards, luminaires and lighting fixtures, electrical control systems for lighting systems and lighting control panels.
FILING BASIS	SECTION 1(b)
FILING BASIS	SECTION 44(d)
FOREIGN APPLICATION NUMBER	2025773
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	Canada
FOREIGN FILING DATE	05/01/2020

**INTENT TO
PERFECT 44(d)**

At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

ATTORNEY INFORMATION

NAME Sherry L. Rollo
ATTORNEY BAR MEMBERSHIP NUMBER 6283866
YEAR OF ADMISSION 2004
**U.S. STATE/ COMMONWEALTH/
TERRITORY** Illinois
FIRM NAME Hahn Loeser & Parks LLP
INTERNAL ADDRESS Suite 2700
STREET 200 West Madison Street
CITY Chicago
STATE Illinois
**COUNTRY/REGION/JURISDICTION/U.S.
TERRITORY** United States
ZIP/POSTAL CODE 60606
EMAIL ADDRESS ipdocket@hahnlaw.com
**RECOGNIZED CANADIAN
ATTORNEY/AGENT** Michele Ballagh

CORRESPONDENCE INFORMATION

NAME Sherry L. Rollo
**PRIMARY EMAIL ADDRESS FOR
CORRESPONDENCE** ipdocket@hahnlaw.com
**SECONDARY EMAIL ADDRESS(ES)
(COURTESY COPIES)** srollo@hahnlaw.com; sgeers@hahnlaw.com;
info@ballaghedward.ca

FEE INFORMATION

APPLICATION FILING OPTION TEAS Standard
NUMBER OF CLASSES 6
**APPLICATION FOR REGISTRATION PER
CLASS** 275
***TOTAL FEES DUE** 1650

[Back](#)

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Performance and Planning
(<https://www.uspto.gov/about-us/performance-and-planning>)

Freedom of Information Act
(<https://www.uspto.gov/learning-and-resources/ip-policy/electronic-freedom-information-act-e-foia>)

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Department of Commerce
(<https://www.commerce.gov>)

Strategy Targeting Organized Piracy
(<https://www.uspto.gov/learning-and-resources/ip-policy/enforcement/strategy-targeting-organized-piracy-stop>)