

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Amendment of)
Trademark Registration)
Registrant: The Alpen House Limited)
Registration No: 4886180)
)

Mark: **ADENA**

Commissioner for Trademarks
P.O. Box 1452
Alexandria, VA 22313-1451
To the Commissioner:

POST-REGISTRATION AMENDMENT UNDER 37 CFR 2.173

Pursuant to Section 7(c) of the Trademark Act and 37 CFR 2.173, Registrant respectfully requests that the original owner of US Registration No. 4886180 for the ADENA mark (the “Mark”) be amended as described herein for the purpose of creating a clear chain of title.

1. The Alpen House Limited was formed in Ontario, Canada on October 1, 1996.
2. The Alpen House Limited filed a Certificate of Continuance in Alberta, Canada on July 13, 2005, which was accepted on August 16, 2005, effectively changing the name of The Alpen House Limited to Alpen House ULC and the jurisdiction of the entity. A copy of the Certificate of Continuance is attached hereto and incorporated by reference herein as EXHIBIT A.
3. The application for the Mark was filed on April 18, 2012, erroneously listing The Alpen House Limited, as the owner/applicant, rather than Alpen House ULC.
4. The Mark subsequently registered on January 12, 2016 in the name of The Alpen House Limited, rather than its changed name The Alpen House ULC.

5. The Mark was subsequently assigned to the currently listed owner, Stronach Consulting Corp., which assignment is on file with the US Patent and Trademark Office at Reel 7112, Frame 0562.
6. Current counsel for Registrant became aware after the recordation of the Assignment that the original Registrant of the Mark was still inadvertently listed as The Alpen House Limited rather than The Alpen House ULC. Thus, the incorrect name of the Applicant was listed in that manner prior to the application filing date, and it was not corrected on the record prior to the Assignment to the current owner.
7. Accordingly, as the listing of the wrong name of the owner of the Mark at the time the application for the Mark was filed was an inadvertent mistake, counsel for the original Registrant now seeks to correct the initial name of the Registrant (the Applicant at time of filing) as filed for the purpose of creating a clear chain of title to the Mark. This change of name is permissible pursuant to TMEP §1201.02(c), which states that an applicant incorrectly identified in the application may be corrected where “the owner of a mark legally changed its name before filing an application, but mistakenly lists its former name on the application.” In this case, Registrant’s name was changed on July 13, 2005, and the application for the Mark was filed on April 18, 2012.

Thus, it is respectfully requested that this Petition under Section 7 be granted, and that the record for the present registration be amended as described herein to list the name of the original Applicant of the registration as Alpen House ULC, in lieu of The Alpen House Limited. For clarity, this does not change the name of the current owner of the Mark (which remains Stronach

Consulting Corp.); it merely corrects the original Applicant name to present a clear chain of title on the PTO record for the Mark.

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.