



Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451  
[www.uspto.gov](http://www.uspto.gov)

October 25, 2012

Mr. Andy Ninh  
3TMC/3rd Alternative  
1028 N. Turner Ave., #148  
Ontario, CA 91764-5330

Dear Mr. Ninh:

This letter is to inform you that, for the reasons set forth below, the United States Patent and Trademark Office (USPTO) is considering prohibiting the use of contact information relating to you or your company, 3TMC/3rd Alternative, for purposes of correspondence with the USPTO, and excluding you from participating as a correspondent or domestic representative in any trademark matters before the USPTO.

Our records indicate that you and your company have been involved with more than 600 trademark applications before the USPTO. Specifically, these applications, which belong to various entities and individuals, typically list you, 3TMC, or 3rd Alternative as the correspondent, domestic representative, or both. In addition, the e-mail address [tmregistered@gmail.com](mailto:tmregistered@gmail.com), which is associated with you and your company, is also provided in the correspondence section of the applications, even when your name or your company's name is not listed. Attached is a list of the serial numbers of relevant applications and registrations that are still active. This list is current up to October 2012. Please note that any other relevant applications filed subsequently, or otherwise not included on the attached list, are also subject to the actions described below.

The USPTO has found no indication that you are an attorney authorized to practice before the USPTO in trademark matters. Furthermore, your relationship to these various applicants is unclear, which calls into question the purpose of directing all application-related correspondence to you or your company.

The circumstances and available information suggest that you are preparing trademark filings to be submitted to the USPTO or are otherwise acting on behalf of applicants in connection with the referenced applications. If so, these actions may constitute the unauthorized practice of trademark law before the USPTO. See 37 C.F.R. §§11.5(b)(2), 11.14; TMEP §608.<sup>1</sup>

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<sup>1</sup> Please note that "TMEP" identifies the *Trademark Manual of Examining Procedure* (8th ed.), available online at <http://tess2.uspto.gov/tmdb/tmep/>.

Therefore, you are hereby provided 14 calendar days to show cause why the USPTO should not cease use of contact information relating to you or your company for correspondence and prohibit participation by you or your company as a correspondent or domestic representative in any trademark cases before the USPTO. Any such showing should include evidence for each case that demonstrates the legitimacy of using contact information for you or your company for purposes of correspondence with the USPTO.

Your response must be received at the following address on or before the close of business on November 8, 2012.

U.S. Patent and Trademark Office  
Trademark Petition Office  
Attn: Mr. Charles G. Joyner  
600 Dulany Street, Madison East 4A85  
Alexandria, VA.22314

Failure to submit your response before the end of the 14-day period will result in the aforementioned actions by the USPTO.

Sincerely,



Deborah S. Cohn  
Commissioner for Trademarks

**Attachment – Serial Numbers of Active Applications/Registrations  
Associated with Andy Ninh and/or 3TMC**

73527397	77139809	77714952	85127561	85247564	85667583
73527398	77139813	77714954	85129753	85251755	85667584
73527399	77139815	77714956	85130682	85288493	85667589
73527400	77140913	77729927	85130691	85288496	85667597
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73551935	77144417	77781701	85130699	85288498	85679579
73581837	77144423	77787498	85131324	85310158	85537805
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76578849	77478673	78906889	78957528	77063318	77671602
76581297	77502945	78935452	78957610	77075639	77671607
76598559	77535367	78955857	85114991	77079316	77671609
76618858	77535436	79068471	76581057	77095266	77686958
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