

ITU

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT TO ALLEGE USE  
UNDER 37 C.F.R. 2.76 WITH DECLARATION

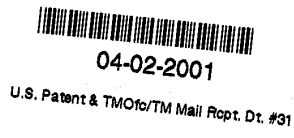
Mark: ESLEUTH

Class: (09) Computer Programs Downloadable From a Global  
Computer Network  
(42) Miscellaneous (Computer Programming Services)

Serial No.: 75/863713

Filing Date: 12/01/1999

Applicant's  
Name: Bristol Technology, Inc.



To: Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir or Madam:

Bristol Technology, Inc., a Delaware corporation with its principal offices located at 39 Old Ridgebury Road, Danbury, Connecticut 06810, has applied for registration of the above-identified trademark/servicemark in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Sections 1051 et. seq., as amended). Applicant hereby amends the application to Allege Use, per 15 U.S.C. Section 1051(c). Three specimens showing the mark as used in commerce in each class applied for are submitted with this amendment.

Applicant is using the mark in commerce on or in connection with the following good and services:

Class 09: Downloadable computer software for use to enable companies utilizing networks of connected computers of varying types located in various geographical locations to monitor the activities of remote computers and remote computer networks for the purposes of predicting, diagnosing and remedying problems with computers, software and computer networks; and

Class 42: Computer software programming for others, namely, the programming of software for use to enable companies utilizing networks of connected computers of varying types located in various geographical

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locations to monitor the activities of remote computers and remote computer networks for the purposes of predicting, diagnosing and remedying problems with computers, software and computer networks.

Date of first use of mark anywhere: December 27, 2000

Date of first use of mark in commerce  
which the U.S. Congress may regulate: February 28, 2001

The type of commerce: Interstate Commerce

The manner or mode of use of the mark on or in connection with the services is: By applying it to WEB-site pages and other advertising and service information via the Internet, and on letterhead.

#### Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any resulting registration, declares that he is properly authorized to execute this Amendment to Allege Use on behalf of the Applicant; he believes the Applicant to be the owner of the mark sought to be registered; the trademark/servicemark is now in use in commerce; and all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

#### Power of Attorney

Applicant has appointed, as its attorney with full power of substitution and revocation, to prosecute this application, to transact all business in the United States Patent and Trademark Office connected therewith, and to receive the Certificate of Registration, the following attorney:

Mladen D. Kresic, Esq.  
Mladen D. Kresic, Esq. LLC  
7 Big Shop Lane, Ridgefield, CT 06877  
Telephone No.: (203) 431-9204  
Facsimile No.: (203) 431-1945

Applicant requests that all correspondence and telephone calls be directed to Mr. Kresic at the above address and telephone number.

#### Submission of Fees

A check in the amount of \$200.00, made payable to the Commissioner of Patents and Trademarks, is submitted herewith to cover the requisite filing fee for the foregoing

Amendment to Allege Use with respect to all two (2) classes applied in and for which registration is sought. In the event this amount is insufficient, kindly contact the above-identified attorney to remit any balance due. In the event this amount exceeds the requisite fee, kindly forward the remainder to the above-identified attorney.

The foregoing Amendment to Allege Use is respectfully submitted by:

Chane Cullens 4/2/2001  
Name: Chane Cullens      Date:  
Title: President  
Telephone: (203) 798-1007