## Electronic System for Trademark Trials and Appeal

View ESTTA technical requirements, new features and other important user guidelines

If you are using Internet Explorer, please ensure that the Compatibility View (Tools>Compatibility View settings) is disabled or not enabled.

Browse ESTTA forms and learn when and how to use them

<u>File Size Limits:</u> The maximum size for each attached file is 6 MB. A single ESTTA filing may comprise more than one attached file, totaling no more than 53 MB.

Please choose one of the following options to start filing a form for

•	Request for Extension of Time to File an Opposition  File a request for extension of time to file a notice of opposition, relinquish an extension, or other actions related to extensions of time to oppose.  Enter the application serial number to which the filing applies:  Start
	Fees are required for certain requests for extension that can be filed using this form.
•	File a New Proceeding  Use these options to file a new opposition, cancellation or appeal from a final refusal to register.  Choose your filing and enter the serial number of the application to be opposed, the registration number of the registration to be cancelled, or the serial number of the application to be appealed.
	Type of filing: Petition for Cancellation ✓ Start
	There is a filing fee associated with these forms.
•	File Documents in a Board Proceeding  Use these options to file documents (motions, briefs, etc.) in an already existing opposition, cancellation, concurrent use, or appeal proceeding. Choose a filing option and enter the opposition number (91xxxxxx), cancellation number (92xxxxxx), concurrent use number (94xxxxxx), or application serial number to which your filing applies.
	Type of filing: Start
	Most filings do not require a fee.

 $Start\ screen$ 

# Electronic System for Trademark Trials and Appeals

Petition for Cancellation Navigation: - Registration

This is the correct registration

ESTTA v. PTO-2188 (Exp. )
OMB No. 0651-0040 (Exp. )

### Registration

Please verify that the information appearing below correctly identifies the registration to which this action applies.

Registrant	125	
Registration Number		
Registration Date		
Mark		
International Classes		
☐ Check here if you a	are aware of a name, address or	email address that differs from what is shown

Cancel

Verify registration screen

Save Session



# Electronic System for Trademark Trials and Appeals

Petition for Cancellation Navigation: Registration - Additional Registrant Info

		ESTTA v.	
	PTO-2188	(Exp.	1
OMB No.	0651-0040	(Exp.	)

### Additional Registrant Information Provided by Petitioner

Enter the additional	name, addre	ss and en	nail address for the o	wner of	the registration
Name					
Title					
Business					
Street address					
(continued)					
City					
State					~
Zip/Postal Code					
Country	UNITED ST	ATES 🗸	Switch to non US ac	ddress	
Email Address	Later commun	nications ma	ond to this request via e ay be in paper form. may be provided separa		omma and space
Telephone Number					
☐ Check here to e	nter additional	owner nar	me, address, or email o	on a new	screen
Next Back	Cancel S	Save Sessi	ion		

Screen to provide additional information (must check box on previous screen)

### Electronic System for Trademark Trials and Appeals

Petition for Cancellation Navigation: Registration - Ground ESTTA v. PTO-2188 (Exp. OMB No. 0651-0040 (Exp.

#### **Grounds for Cancellation**

Please check as many grounds for cancellation as are applicable. If a particular ground is not listed, check the "Other" box and fill in the ground in the text box provided.

The	arou	nds for c	ancellation	are as follows:	
			elihood of co		Trademark Act Sections 14(1) and 2(d)
	The	nark is m	erely descrip	tive	Trademark Act Sections 14(1) and 2(e)(1)
	The	mark is or	has become	generic	Trademark Act Section 14(3), or Section 23 if on Supplemental Register
	The	nark is de	eceptively mi:	sdescriptive	Trademark Act Sections 14(1) and 2(e)(1)
		nark is pr riptive	imarily geogi	raphically	Trademark Act Sections 14(1) and 2(e)(2)
			imarily geogi sdescriptive	raphically	Trademark Act Sections 14(1) and 2(e)(3)
	The	nark is pr	imarily merel	ly a surname	Trademark Act Sections 14(1) and 2(e)(4)
		mark com e, is funct	prises matte ional	r that, as a	Trademark Act Sections 14(1) and 2(e)(5), or Section 23 if on Supplemental Register
	appli	cation, an	k in commere nendment to se was filed	ce before allege use, or	Trademark Act Sections 14(1) and 1(a), (c), and (d)
		donment			Trademark Act Section 14(3)
	Failu	re to func	tion as a mai	rk	Trademark Act Sections 14(1) and 1,2 and 45
			ot inherently o	distinctive and eness	Trademark Act Sections 14(1) and 1,2 and 45; and Section 2 (f)
	Diluti	on by blu	rring		Trademark Act Sections 14(1) and 43(c)
	Diluti	on by tarr	nishment		Trademark Act Sections 14(1) and 43(c)
			rightful owners	er of mark for	Trademark Act Sections 14(1) and 1
	perso or na	ons, living	nbols, or brin	titutions, beliefs,	Trademark Act Sections 14(3) and 2(a)
		ptiveness			Trademark Act Sections 14(3) and 2(a)
	Immo	oral or sca	andalous mat	tter	Trademark Act Sections 14(3) and 2(a)
	Dispa	araging			Trademark Act Sections 14(3) and 2(a)
	in co	nnection v	with wine or s	h, if used on or spirits, identifies n of the goods	Trademark Act Sections 14(3) and 2(a)
	the p misre servi	ermission present t	of, the regis he source of	ed by, or with trant so as to the goods or n with which the	Trademark Act Section 14(3)
	Cons arms or of	ists of or or other i any State	insignia of the or municipa	ne flag or coat of e United States, lity, or of any lation thereof	Trademark Act Sections 14(3) and 2(b)
	Cons or sig writte signa the w	ists of or gnature of en consen ature of a vritten con	comprises a a living indiv t, or the nam deceased prosent of the s	name, portrait, vidual without ne, portrait, or esident without urviving spouse	Trademark Act Sections 14(1) and 2(c)
		inued regi preclusion		ed by claim or	Mayer/Berkshire Corp. v. Berkshire Fashions Inc., 424 F.3d 1229, 76 USPQ2d 1310 (Fed. Cir. 2005)
		d on the U			Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
	Viola 4	tes the pr	ovisions of T	rademark Act §	Trademark Act Section 4 (collective and certification marks) and Sections 14(3) and (5)
	Misu	se of regis	stration symb	ool	Copelands' Enterprises Inc. v. CNV Inc., 945 F.2d 1563, 20 USPQ2d 1295 (Fed. Cir. 1991)
	Title	of single o	creative work	:	Trademark Act Sections 1,2 and 45, Mattel Inc. v. Brainy Baby Co.,101 USPQ2d 1140 (TTAB 2011)
	and s		concisely ind or common-la	licate grounds aw basis for	
Ne	ext	Back	Cancel	Save Session	



# Electronic System for Trademark Trials and Appeals

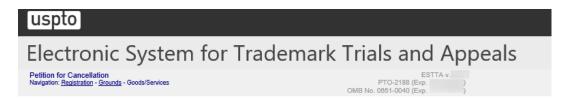
Petition for Cancellation Navigation: Registration - Ground

	ESTTA v.	
PTO-2188	(Exp.	)
OMB No. 0651-0040	(Exp.	)

### **Grounds for Cancellation**

Please check as many grounds for cancellation as are applicable.

The	grounds for cancellation are as follows:	
	Abandonment	Trademark Act Section 14(3)
	The mark is or has become generic	Trademark Act Section 14(3), or Section 23 if on Supplemental Register
	False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute	Trademark Act Sections 14(3) and 2(a)
	Deceptiveness	Trademark Act Sections 14(3) and 2(a)
	Immoral or scandalous matter	Trademark Act Sections 14(3) and 2(a)
	Disparaging	Trademark Act Sections 14(3) and 2(a)
	Geographic indication which, if used on or in connection with wine or spirits, identifies a place other than the origin of the goods	Trademark Act Sections 14(3) and 2(a)
	The mark comprises matter that, as a whole, is functional	Trademark Act Sections 14(3) and 2(e)(5), or Section 23 if on Supplemental Register
	The registration is being used by, or with the permission of, the registrant so as to misrepresent the source of the goods or services on or in connection with which the mark is used	Trademark Act Section 14(3)
	Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof	Trademark Act Sections 14(3) and 2(b)
	Consists of or comprises a name, portrait, or signature of a living individual without written consent, or the name, portrait, or signature of a deceased president without the written consent of the surviving spouse	Trademark Act Sections 14(3) and 2(c)
	Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
	Violates the provisions of Trademark Act § 4	Trademark Act Section 4 (collective and certification marks) and Sections 14(3) and (5)
N	ext Back Cancel Save Session	



#### **Goods and Services**

Registration No. has class of goods/services are subject to the petiti	f goods or services. Please indicate below which on for cancellation.	
O All of the goods in this class	IC Goods and Services:	
<ul> <li>Some of the goods in this class (delete goods or services that do not apply)</li> </ul>		
O None of the goods in this class	First use: First use in commerce:	
Next Back Cancel Reset	Save Session	
Next Back Cancel Reset	Save Session	
Next Back Cancel Reset	Save Session	

 $Goods\, and\,\, services\,\, screen$ 

# Electronic System for Trademark Trials and Appeals

Petition for Cancellation Navigation: - Petitioner

### **Petitioner Information**

Enter petitioner information Check here if opposer/petitioner is represented by an attorney Only attorneys qualified under Patent and Trademark Rule 11.14 may represent others before the Trademark Trial and Appeal Board. Name \* Ocrporation Name and citizenship of the general partners Type 
Partnership (List the first 10 only) \* Company Entity type \* Other state Incorporated or registered in 🔺 or country: First Name \* Middle Initial Last Name 🛎 Individual Country of Citizenship \* If the country is not on the list, please, specify the country name Street Address Internal address/ Street 2 Address Current domicile required for all parties. Indicate address of State/Territory \* ~ permanent legal residence (for individuals) or principal place of business (for entities). Switch to non US address Country \* UNITED STATES ✓ Postal Code \* Next Cancel Save Session

 $Petitioner\ information\ screen$ 

# Electronic System for Trademark Trials and Appeals

Petition for Cancellation Navigation: - Add/Modify ESTTA v. PTO-2188 (Exp. OMB No. 0851-0040 (Exp.

### Add/Modify Information

Please choose one of the following actions:		
Add another registration number to the reque	est	
Enter the regis	stration number of the mark: Add	Property
Add another petitioner to the request		
Click this button to ente	r information about additional petitioner: Add F	Petitioner
Change information in the request  Petitioned registration		
-		
Registration Mark: Registrant Registration  Registration  Email:		е
CandalCandana Cubinat ta Canadlatian		
Goods/Services Subject to Cancellation:	Edit	
Grounds for Cancellation	Edit	
Petitioner		
	Edit	
Continue     If you do not need to change the above information	mation, click "Next" below to proceed with corres	spondence
Next Cancel Save Session		

# Electronic System for Trademark Trials and Appeals

 Petition for Cancellation
 ESTTA v

 Navigation: Add/Modify - Related
 PTO-2188 (Exp. )

 OMB No. 0851-0040 (Exp. )
 OMB No. 0851-0040 (Exp. )

### **Related Proceedings**

If the parties are involved in proceedings involving the same or similar marks, identify those proceedings below

Related Proceedings	
Next Back C	ancel Save Session

 $Related\ proceedings\ screen$ 

### **Petitioner's Correspondence Information**

Enter the address at which you would like to receive correspondence regarding this proceeding. Name . Title Business Street address . Internal address/ Street 2 City -State/Territory . Postal Code . Country \* Switch to non US address Primary Email Address ...
(You may enter only one address.) **Email Address** Secondary Email Address(es)
(You may enter up to 10 addresses. These are addresses to which the Board will also transmit correspondence.) Telephone Number

 $Correspondence \, screen$ 

Next

Back

Cancel

Save Session

### **Attorney Correspondence Information**

Enter the address at which you would like to receive correspondence regarding this proceeding. Name -Firm Docket Number Year of Admission ~ State/Commonwealth/Territory Bar Membership Number Membership . You must enter either "N/A" or a membership number if your U.S. state, commonwealth, or territory issues one. This number will not be publically displayed.  $\square$  This 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. Street address Internal address/ Street 2 City • State/Territory ~ Postal Code . Country -UNITED STATES 🗸 Switch to non US address Primary Email Address \* (You may enter only one address.) **Email Address** Secondary Email Address(es) (You may enter up to 10 addresses. These are addresses to which the Board will also transmit correspondence.) Telephone Number Back Cancel Save Session Next

Attorney correspondence screen
(Note: Bar membership information only visible to filer-not available on TTABVUE)

## Electronic System for Trademark Trials and Appeals

 Petition for Cancellation
 ESTTA v.

 Navigation: Add/Modify - Related - Correspondence - Pleading
 PTO-2188 (Exp. OMB No. 0851-0040 (Exp. OMB No. 0851-004

### Pleading

You must attach a <u>short and plain statement of the grounds</u> setting forth, in numbered paragraphs, averments that include the reason(s) why the petitioner believes it is or will be damaged by the registration sought to be cancelled (i.e., petitioner's standing), as well as the ground(s) for cancellation. [See TBMP § 309.03(a)(2)].

To attach your file(s):

- 1. Pre-filing checklist.
- Please make sure that the file name does not contain any special characters such as (!@#\$%^&\*(){}).
- The maximum size for each attached file is 6 MB. A single ESTTA filing may comprise more than one attached file, totaling no more than 53 MB. Tips for attaching a large file.
- Choose the "Browse" button below and select a file in an <u>accepted format</u> (TIFF, PDF, or TXT) from your computer. (To attach a document saved in TIFF format, the document must first be saved using this extension: .tiff)
- The name of the file you want to attach should appear in the text box below. Click the "Attach File" button.
- 6. When you have attached all desired files, click "Next Screen" at the bottom of the page to proceed.



Attachment screen

# Uspto Electronic System for Trademark Trials and Appeals Petition for Cancellation Navigation: AddMoodly - Related - Correspondence - Pleading - Sign OMB No. 0051-5040 (Exp.)

#### Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

Sign the request by completing the following fields

	impleting the following		
Ι	N THE UNITED STA BEFORE THE TRAI	TES PATENT AND TRADEN DEMARK TRIAL AND APPE	IARK OFFICE AL BOARD
	Petitio	on for Cancellatio	on
Notice is hereby girndicated below.	ven that the follow	ing party has filed a petiti	on to cancel the registration
Petitioner Inform:	ation		
Name			
Entity		Citizenship	
Address			
Correspondence information			
Registration Subj	ect to Cancellation	1	
Registration No.		Registration date	
Registrant			
Goods/Sarvices Su	bject to Cancellat	tion	
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Grounds for Canc	ellation		
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Attachments			
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### Electronic System for Trademark Trials and Appeals

Petition for Cancellation
Navigation: Add/Modify - Related - Correspondence - Pleading - Sign - Validate

PTO-2188 (Exp. )
OMB No. 0851-0040 (Exp. )

#### Validate

Review the information below and click on the "to proceed with payment" button if the information is correct. If you need to edit any information, go back to proper screen using navigation facilities on this web page and make your correction(s).

DO NOT USE THE BACK BUILTON ON YOUR BROWSED.

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	Peti	tion for Cancellati	on
Notice is herek			ion to cancel the registration
indicated belov	v.	oving party has most a point	ion to cancer are regionation
Petitioner Inf	ormation		
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Entity		Citizenship	
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No.		date	
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Grounds for (  Attachments  Signature  Name	Cancellation	ellation	
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Goods/Service Grounds for C  Attachments Signature Name Date e calculated ace e code	Cancellation  Cancellation  Coording to USPTO fee 7401 400.00		led

#### Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

Sign the request by completing the following fields

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD							
Petition for Cancellation							
Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.							
Petitioner Information							
Name							
Entity			Citizenship				
Address							
Attorney informs	ition						
Docket Number							
Bar Information (bar information will not appear in the record, or e-mail confirmation, and will not be publically displayed)		Year of Admission:  U.S. State/Commonwealth/Territory:  Membership Number:  This 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.					
Registration Subject to Cancellation							
Registration No.			Registration date				
Registrant							
Goods/Services Su	ibject to Cancella	tion					
Grounds for Cancellation							
Attachments							
gnature: -							
ste: 06/16/2020							
ate: 06/16/2020							
Next Back Ca	ancel Save Sess	ion					

#### Validate

Review the information below and click on the "to proceed with payment" button if the information is correct. If you need to edit any information, go back to proper coreen using navigation facilities on this web page and make your correction(s). DO NOT USE THE BACK BUTTON ON YOUR BROWSER.

> IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

#### Petition for Cancellation

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

#### Petitioner Information

Name							
Entity			Citizenship				
Lucity			Списилир				
Address							
	-						
Attorney inform	ation.						
Docket Number							
Bar Information		Year of Admission:					
		U.S. State/Commonwealth/Territory:					
(bar information v	will not appear in	Membership Number					
the record, or e-m		This attorney of record is an active member in good standing of the bar of the highest court of a U.S.					
and will not be pu	iblically displayed)	state, the District of Columbia, or any U.S.					
		Common	Commonwealth or territory.				
Registration Subject to Cancellation							
Registration Subj	ect to Cancellation	п					
Registration			Registration				
No.			date				
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Goods/Services S	ubject to Cancella	mon.					
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Grounds for Can	cellation						
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Attachments							
Signature							
Name							
Date							
	ding to <u>USPTO fee ta</u> 7401	ble					
	400.00						
	etition for Cancellatio	n, per class	s, Electronically Filed				
roperty # 1 #	of Classes		1				
otal			400.00				
Go to Payment scree	en Back Can	icel Sa	we Session				