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



Harman-Kardon, Incorporated,)
Petitioner,)

vs.)

Whisper Communications, Inc.)
Respondent.)

07-26-2001

U.S. Patent & TMO/TM Mail Rcpt Dt #11

Cancellation No. _____
Registration No. 1655878

Commissioner for Trademarks
BOX TTAB - FEE
2900 Crystal Drive
Arlington, Virginia 22202.3513

I hereby certify that this correspondence is
being deposited with the U. S. Postal Service as
first class mail in an envelope addressed to the
Commissioner of Trademarks, 2900 Crystal Drive,
Arlington, VA 22202-3513

on July 23 2001
Carole Duhak

PETITION FOR CANCELLATION

Petitioner, Harman-Kardon, Incorporated, a California corporation, having a place of business at 8500 Balboa Boulevard, Northridge, California 91329, believes that it is and will continue to be damaged by Registration No. 1655878, issued September 3, 1991 and now owned (by assignment) by Whisper Communications, Inc, a California corporation, located at 825 Stewart Drive, Sunnyvale, California 94086 ("Respondent"), for the mark HOMENET covering "electronic automation products, namely, gateways in the nature of electronic signal, message and format converters, nodes in the nature of electronic elements for sending or receiving messages, and bridges/routers in the nature of electronic elements for transferring signals from one medium to another, all for electronic communication, control, monitoring and scheduling purposes," and hereby petitions for cancellation of this Registration, under 15 U.S.C. §1064 (1986).

The grounds which justify cancellation are as follows:

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1. Upon information and belief, Respondent has abandoned the registered mark by discontinuing use with no intent to resume use.

2. Petitioner is and will continue to be damaged by the continuance of said registration because Petitioner has filed Application Serial No. 75/293682, which has been refused in light of said registration, and because Petitioner's use of its mark may be impaired by the continued registration of Respondent's mark.

WHEREFORE, Petitioner hereby requests that this Petition be sustained in favor of Petitioner and that Registration No. 1655878 be canceled. The filing fee of \$300. is enclosed herewith; the Commissioner is hereby authorized to charge Deposit Account No. 10-1202 for any deficiency in the payment of required fees.

Petitioner hereby appoints Linda A. Heban, Ronald A. Sandler, David L. Witcoff, and Joseph Golant, all of Jones Day Reavis & Pogue, 77 West Wacker, Chicago Illinois, 60601.1692, telephone 312.782.3939, as its attorneys with full powers of substitution and revocation in the matter of the cancellation above-identified, to transact all business in the Patent and Trademark Office in connection therewith, and to receive all communications relating thereto.

Respectfully submitted,



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ATTORNEYS FOR PETITIONER
HARMAN-KARDON, INCORPORATED

July 17, 2001