

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

In re Registration No. : 2445339  
 For the Mark : MED LEGAL CONSULTING SOURCE  
 Registered on : April 17, 2001

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MED-LEGAL.NET, INC.

Petitioner,

Cancellation No. \_\_\_\_\_

v.

Nancy Fraser d/b/a MED LEGAL  
CONSULTING SOURCE

Registrant.

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BOX TTAB--FEE  
 Assistant Commissioner for Trademarks  
 2900 Crystal Drive  
 Arlington, VA 22202-3513

**PETITION TO CANCEL**

The above-identified Petitioner believes that it will be damaged by the above-identified registration and hereby petitions to cancel same.

The Petitioner's name and address is:

**MED-LEGAL.NET, INC.**  
 1828 45<sup>th</sup> Avenue, Ste. 104  
 Osceola, WI 54020-5403

To the best of Petitioner's knowledge, the name and address of the current owner of the registration is Nancy Fraser d/b/a MED LEGAL CONSULTING SOURCE, 253 26<sup>th</sup> Street, Santa Monica, CA 90402.

12/26/2002 TSMITH 00000155 2445339

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300.00 OP

The grounds for the Petition are:

1. Petitioner is and has been in the business of offering legal nurse consultation to attorneys under the trademark MED-LEGAL.NET. Petitioner first began using its mark in connection with its services as early as January of 1998.

2. Notwithstanding Petitioner's prior rights to the mark MED-LEGAL.NET in connection with legal nurse consultation and medical legal consultation services, Registrant filed an application for registration of the mark MED LEGAL CONSULTING SOURCE in connection with medical legal consultation services, namely providing analysis and preparation of medical and scientific reports for litigation attorneys. Registrant filed the application on December 28, 1999, the application was assigned the serial number 75882393 and the Registrant obtained a registration for the mark on April 17, 2001, Registration number 2445339.

3. Registrant claims a first date of use anywhere and in commerce for its mark of September 30, 1999. Registrant's first date of use is subsequent to Petitioner's first date of use.

4. Registrant's mark is confusingly similar to Petitioner's mark and its continued registration and use by Registrant in connection with its services is likely to cause confusion, deception and mistake which will damage Petitioner.

COPY: A duplicate copy of this Petition to Cancel is enclosed.

FEE: A check in payment of the required fee is enclosed.

Respectfully submitted,



Christopher J. Schulte, Esq.

MN. License No. 240801

Kristine M. Boylan

MN License No. 284634

**Meagher & Geer, PLLP**

33 South Sixth Street, Suite 4200

Minneapolis, MN 55402

(612) 338-0661

**Attorney for Petitioner**

Date of Deposit: 12/10/02  
I hereby certify that this paper and fee is being deposited with the United States Postal Service to Addressee on the date indicated above and is addressed to Box TTAB-FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513



Christopher J. Schulte  
Kristine M. Boylan

Date of Signature: 12/10/02

Enclosures

Our Ref.: 54235-1

11009819

TTAB

**MEAGHER  
&  
GEER** P.L.L.P.  
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December 10, 2002

**Box TTAB--FEE**  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, VA 22202-3513

12-13-2002

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #77

<p>Re: <b>Petitioner:</b> <b>Petition to Cancel Registration:</b> <b>Registration No.:</b> <b>Our Ref. No.:</b></p>	<p><b>MED-LEGAL.NET, INC.</b> <b>MED LEGAL CONSULTING SOURCE</b> <b>2,445,339</b> <b>54235-1</b></p>
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Dear Sir/Madame:

Enclosed please find one original and one copy of a Petition to Cancel with respect to the registration of MED LEGAL CONSULTING SOURCE, Registration No. 2,445,339. Also enclosed is the fee in the amount of \$300.

Very truly yours,

Christopher J. Schulte  
Kristine M. Boylan

Attorneys for Petitioner

CJS:KMB:djd\1009808.1

Enclosures

c: Colleen Lindell