

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

In the Matter of Trademark Registration Number 2554024

For the Mark BOY BEATER

Dated Registered 2002-03-26

Diva Designs / Bimbo

v.

Solid Printing, Inc.

PETITION TO CANCEL

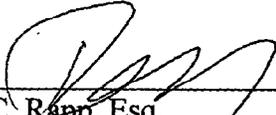
The petitioner is Diva Deloayza, doing business as Diva Designs / Bimbo, with a business address of PO Box 353, Altamont, New York 12009.

To the best of the petitioner's knowledge, the name and address of the current owner of the registration are Solid Printing Inc., 1015 E. Raymond Way, Anaheim, CA 92801

The above identified Petitioner believes that she has and will be damaged by the above-identified registration and hereby petitions to cancel this registration.

The grounds for cancellation are as follows:

1. Petitioner's use of the mark BOY BEATER in interstate commerce preceded that of the Registrant.
2. The purported mark BOY BEATER is a generic term in reference to sleeveless t-shirts designed for and/or worn by women and girls.

BY: 
Paul C. Rapp, Esq.
Cohen Dax & Koenig PC
Attorneys for the Petitioner Diva Designs/ Bimbo
90 State Street
Albany, New York 12207

DATE: 5/28/2003

TTAB



05-30-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #64

Cohen, Dax & Koenig, P.C.
ATTORNEYS

Jeffrey C. Cohen
John W. Dax
Joshua Noah Koenig

90 State Street, Suite 1030
Albany, New York 12207

Paul C. Rapp
David M. Allen
Susan L. Taylor
Jessica A. Norgrove

Telephone: (518) 432-1002
Facsimile: (518) 432-1028
Writer's e-mail: prapp@cdkpc.com

May 28, 2003

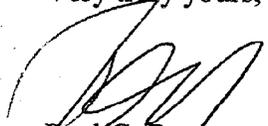
Box TTAB
Fee
Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Re: cancellation petition

Greetings,

Please find enclosed a Petition for Cancellation of a registered trademark brought on behalf of Petitioner Diva Designs / Bimbo against Solid Printing, Inc. Also enclosed is the required fee of \$300.00. Please contact the undersigned if there are any issues regarding this filing. Thank you very much.

Very truly yours,



Paul C. Rapp

Encl.
Cc: Diva Deloayza

03 JUN 20 AM 9:59