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Filing date: **12/05/2003**

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

Proceeding	92042618
Party	Plaintiff THE PINK ADOBE, INC.
Correspondence Address	SUZANNE C. ODOM WHITE, KOCH, KELLY & MCCARTHY, P.A. POST OFFICE BOX 787 SANTA FE, 87504-0787
Submission	Motion to Amend Pleading/ Amended Pleading
Filer's Name	Suzanne C. Odom
Filer's e-mail	sco@wkkm.com
Signature	/Suzanne C. Odom/
Date	12/05/2003
Attachments	AMENDED PETITION TO CANCEL.pdf (2 pages)

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

Cancellation No. 9204618
Reg. No. 1554940

THE PINK ADOBE, INC.,

Petitioner,

vs.

THE BROWN ADOBE, INC.,
HELLER FINANCIAL LEASING, INC.

Respondent.

AMENDED PETITION TO CANCEL

1. Petitioner, The Pink Adobe, Inc., is a New Mexico Business Corporation with its business address at 406 Old Santa Fe Trail, Santa Fe, New Mexico.

2. To the best of Petitioner's knowledge, the name and address of the current owner of the registration are: Heller Financial Leasing, Inc., 500 West Monroe Street, Chicago, Illinois 60661.

3. Petitioner believes that it will be damaged by the above-identified registration, since said registration impairs Petitioner's full and legitimate use of its own mark. Petitioner accordingly petitions pursuant to § 14 of the Trademark Act of 1946, 15 U.S.C. § 1064 (the "Act") and 37 C.F.R. § 2.111 (2003) to cancel the same.

4. The grounds for cancellation are as follows: upon information and belief Respondent has abandoned the above-identified registration through non-use for over three consecutive years. Act § 14(3), 15 U.S.C. § 1064(3).

Respectfully submitted,

WHITE, KOCH, KELLY & McCARTHY, P.A.

By: /Suzanne C. Odom/
SUZANNE C. ODOM
Attorneys for Petitioner
Post Office Box 787
Santa Fe, New Mexico 87504-0787
(505) 982-4374

Dated: December 5, 2003

CERTIFICATE OF FILING UNDER 37 CFR 1.8(a)

I hereby certify that this Amended Petition to Cancel is being filed via the Electronic System for Trademark Trials and Appeals on this 5th day of December, 2003.

/Suzanne C. Odom/
SUZANNE C. ODOM