

TRADEMARK/SERVICE MARK

Attorney Docket No. 11563-1

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

In the matter of trademark Registration No.: ^{Serial No: 76431064} 2,790,535

For the mark: A CHARLESTON CHILD
Date Registered: December 9, 2003

CHARLESTON CHILD, LLC

v.

ILUMINADA PATIO HUNTER and
RONALD LEWIS HUNTER

TRANSMITTAL LETTER

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
MAIL STOP TTAB/FEE

Dear Sir/Madam:

Applicant submits herewith the following documents for filing:

1. Petition for Cancellation;
2. A check in the amount of \$300.00 is enclosed herewith to cover the Petition filing fees;
3. Certificate of Mailing.

The Commissioner is hereby authorized to charge any shortfall which may be required, or credit any overpayment to Deposit Account No. 50-2894. A duplicate copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

By: 

Scott J. Fields, Esquire
Attorney for Applicant
Charleston Child, LLC



03-07-2005

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #66

Dated: 3/4/05

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RONALD LEWIS HUNTER

PETITION TO CANCEL

CHARLESTON CHILD, LLC, a South Carolina limited liability company,
with a business address at 92 Folly Road, Charleston, SC 29407, hereby
petitions for cancellation of the above registration, and states as follows:

1. To the best of petitioner's knowledge, the name of the current
owners of the registration are Iluminada Patio Hunter and Ronald Lewis Hunter,
individuals, with an address of 10 Lavington Road, Charleston, SC 29407.

2. The above-identified petitioner believes that it will be damaged
by the above-identified registration, and hereby petitions to cancel the

same.

Adjustment date: 03/17/2005 SWILSON1
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3. Petitioner has used the mark "CHARLESTON CHILD" for the sale
of retail products and has been threatened with litigation by Registrant.

4. The grounds for cancellation are as follows:

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01 FC:6401 300.00 OF



03-07-2005

- a. On information and belief, Registrants, Iluminada Patio Hunter and Ronald Lewis Hunter have abandoned the mark.
- b. On information and belief, Respondents have never used the mark in commerce in connection with the sale of clothing, namely, colored dresses, blouses, tops, shirts, pants, shorts, scarves, gloves and hats.
- c. On information and belief, the registration was fraudulently procured. On information and belief, the mark was knowingly procured with the knowledge that the mark was not used in commerce.

For the foregoing grounds, Petitioner requests that U.S. Registration No. 2,790,535 be cancelled.

Respectfully submitted,

By: 

Scott J. Fields, Esquire
Attorney for Petitioner,
CHARLESTON CHILD, LLC

Dated: 3/4/05

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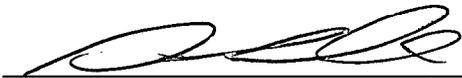
CERTIFICATE OF MAIL

MAIL STOP TTAB/FEE
Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

Date of Deposit: 3/4/05

I hereby certify that this Petition for Cancellation is being deposited with the United States Postal Service via First Class Mail on the date indicated above and is addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia, 22313-1451, Mail Stop TTAB/FEE.

Date: 3/6/04


SCOTT J. FIELDS

NATIONAL IP RIGHTS CENTER, LLC
550 Township Line Road, Suite 400
Blue Bell, PA 19422
(610) 680-2301 – Phone
(610) 680-2319 - Fax