

ESTTA Tracking number: **ESTTA79041**

Filing date: **05/02/2006**

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

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Black Wallet, LLC dba GoBaby		
Entity	Limited Liability Company	Citizenship	Washington
Address	3416 ½ W. McGraw Street Seattle, WA 98199 UNITED STATES		

Attorney information	Stephen M. Evans GRAYBEAL JACKSON HALEY LLP 155 108TH AVE NE STE. 350 BELLEVUE, WA 98004 UNITED STATES trademarks@graybeal.com Phone:425-455-5575		
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Registration Subject to Cancellation

Registration No	2591666	Registration date	07/09/2002
Registrant	REDDY, SHOBA P. 5237 ROCKY MOUNTAIN PLACE ALTA LOMA, CA 91737 UNITED STATES		
Goods/Services Subject to Cancellation	Class 025. First Use: 2001/01/12 , First Use In Commerce: 2001/01/12 Goods/Services: PANTS, SHORTS, SHIRTS, 'T' SHIRTS, LAYETTES, JACKETS, SHOES, BOOTS, CAPS, HATS, SLEEPWEAR, BLOUSES, SKIRTS, VESTS, DRESSES, OVERALLS, SHORTALLS, CLOTH DIAPERS MADE OF COTTON, COTTON BLENDS AND SYNTHETIC FIBRES FOR BABIES, INFANTS AND KIDS		

Attachments	Pg2.PDF (2 pages)(1345445 bytes)
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Signature	/Stephen M. Evans/
Name	Stephen M. Evans
Date	05/02/2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD
PETITION FOR CANCELLATION**

Black Wallet, LLC, dba GoBaby,)	
Petitioner,)	Cancellation No.: _____
v.)	Registration No.: 2591666
)	Mark: GO! BABY
Shodda P. Reddy,)	
Registrant)	

PETITION FOR CANCELLATION UNDER 15 U.S.C. §1064

Petitioner, Black Wallet, LLC, dba GoBaby ("Petitioner"), a Washington Limited Liability Company having a principal place of business at 3416 ½ W. McGraw Street Seattle, WA 98199, believes it is or will be damaged by the continued existence of Registration No. 2591666 on the Principal Register and hereby petitions to cancel same.

As grounds of this Petition, it is alleged that:

1. Shodda P. Reddy ("Registrant") has obtained a registration for the mark GO! BABY in conjunction with Pants, shorts, shirts, 't' shirts, layettes, jackets, shoes, boots, caps, hats, sleepwear, blouses, skirts, vests, dresses, overalls, shortalls, cloth diapers made of cotton, cotton blends and synthetic fibres for babies, infants and kids in Class 25.
2. Petitioner filed a registration application (Serial No. 78/463788) for the mark GO BABY FOR BABIES ON THE MOVE on 6 August 2004 for the following goods in Class 25 (among others): *Baby apparel, namely, layette, headwear, and outerwear, namely, caps.*
3. The Examining Attorney has refused Petitioner's application as being confusingly similar under Sec. 2(e) (1) of the Trademark Act to Registrant's GO! BABY registration. Petitioner maintains that his application should not be refused in light of Registrant's registration.
4. On Information and belief, Petitioner alleges that Registrant has abandoned its GO! BABY mark. Therefore, the registration should be cancelled.
5. Until the Board finally acts on this Petition, Petitioner will request a voluntary suspension of application, Serial No. 78/463788.

WHEREFORE, petitioner prays that this Petition for Cancellation be sustained in favor of Petitioner, and that Registration No. 2591666 be cancelled.

Dated: 2 May 2006

Respectfully submitted,

GRAYBEAL JACKSON HALEY LLP

A handwritten signature in black ink, appearing to read "Stephen M. Evans", written over a horizontal line.

Stephen M. Evans
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