

TTAB

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

lg

Mailed: June 4, 2007

Cancellation No. 92046911

National Envelope  
Corporation

73661160

v.

Cenveo Corporation

**Lalita R. Greer, Paralegal Specialist:**

The notice instituting this proceedings and a copy of the petition to cancel were inadvertently forwarded to the incorrect address for the registrant. Therefore, the notice was returned by the Postal Service.

Accordingly, the institution letter with attachments are being remailed to registrant at:

**Cenveo Corporation  
8310 S. Valley Highway, Suite 400  
Englewood, CO 80122**

Registrant is allowed until **FORTY DAYS** from the mailing date of this order in which to inform this Office of its correct address in order that all records may be amended. Compliance with Trademark Rule 2.193(b) and Trademark 2.119(a) is required.

06-14-2007

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

If there has been any transfer of interest in the involved registration, registrant must so advise the Board and registrant must submit copies of the appropriate documents. See Section 10 of the Trademark Act and Patent and Trademark Rules 3.71 and 3.73.

In view of the circumstances, the time for filing an answer to the petition to cancel is extended to **FORTY DAYS** from the mailing date of this order. Any discovery requests or notices served that remain unanswered as of the mailing date of this order must be reserved in accordance with the rules, unless otherwise agreed to by the parties.<sup>1</sup>

In accordance with the Trademark Rules of Practice, discovery is open, and the close of discovery and testimony dates are set as indicated below. In each instance, a copy of the transcript of testimony, together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Discovery period to close: **12/21/2007**

30-day testimony period for party  
in position of plaintiff to close: **3/20/2008**

30-day testimony period for party  
in position of defendant to close: **5/19/2008**

---

<sup>1</sup> Simultaneously therewith, notice is hereby given that unless the registrant listed herein, its assigns or legal representatives, shall enter an appearance, answer or other response to the petition within the time frame allowed above, the cancellation will proceed as in the case of default.

15-day rebuttal testimony period  
to close:

**7/3/2008**

Briefs shall be filed in accordance with Trademark Rule 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

If the parties to this proceeding are also parties to other Board proceedings involving related marks or, during the pendency of this proceeding, they become parties to such proceedings, they should notify the Board immediately, so that the Board can consider consolidation of proceedings.

ESTTA Tracking number: **ESTTA118369**

Filing date: **01/08/2007**

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	National Envelope Corporation		
Entity	Corporation	Citizenship	New York
Address	333 Earle Ovington Boulevard, Suite 1035 Uniondale, NY 11553 UNITED STATES		

Attorney information	Mark N. Mutterperl Fulbright & Jaworski L.L.P. 666 Fifth Avenue New York, NY 10103 UNITED STATES mmutterperl@fulbright.com, hrosenberg@fulbright.com, jparise@fulbright.com, nyipdocket@fulbright.com Phone:212-318-3183
----------------------	--

**Registration Subject to Cancellation**

Registration No	1469035	Registration date	12/15/1987
Registrant	CENVEO CORPORATION 8310 S. VALLEY HIGHWAY SUITE 400 ENGLEWOOD, CO 80112 UNITED STATES		
Goods/Services Subject to Cancellation	Class 016. First Use: 1987/03/16 , First Use In Commerce: 1987/03/16 Goods/Services: ENVELOPES		
	Class 020. First Use: 1987/03/16 , First Use In Commerce: 1987/03/16 Goods/Services: SHIPPING CONTAINERS		
Grounds for Cancellation	The registered mark has been abandoned.		

Attachments	national envelope v. cenveo's INTERNATIONAL ENVELOPE-cancellation.pdf ( 2 pages )(71727 bytes )
-------------	---

Signature	/mark n. mutterperl/
Name	Mark N. Mutterperl
Date	01/08/2007

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

In the matter of Registration No.: 1,469,035

By Cenvco Corporation for INTERNATIONAL ENVELOPE COMPANY & DESIGN

Registered: December 15, 1987

National Envelope Corporation,

Petitioner,

v.

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

Cenvco Corporation,

Respondent.

PETITION FOR CANCELLATION

National Envelope Corporation ("Petitioner") believes that it will be damaged by the continued registration of U.S. Reg. No. 1,469,035, issued on December 15, 1987 to Cenvco Corporation ("Registrant"), and hereby petitions to cancel the same pursuant to Section 14(3) of the Lanham Trademark Act of 1946, 15 U.S.C. § 1064(3).

As grounds therefore, Petitioner alleges as follows:

1. Petitioner has adopted and is now using the mark NATIONAL ENVELOPE, application Serial No. 78/623,149.
2. The mark INTERNATIONAL ENVELOPE COMPANY & DESIGN, in Registration No. 1,469,035, which stands in the name of Registrant, was cited under Section 2(d) of the Trademark Act as a basis for refusing registration of Petitioner's application for the mark, NATIONAL ENVELOPE, application Serial No. 78/623,149.
3. On information and belief, use of the mark INTERNATIONAL ENVELOPE COMPANY & DESIGN has been discontinued with intent not to resume such use. Thus, Registrant has abandoned its trademark.

4. Petitioner will be damaged by the continuing registration of the mark in the registration at issue because the registration will block registration of Petitioner's mark NATIONAL ENVELOPE, application Serial No. 78/623,149.

WHEREFORE, Petitioner requests that Registration No. 1,469,035 be canceled.

This Petition For Cancellation is being filed electronically, with the filing fee required by 37 C.F.R. § 2.6(a)(17). The Commissioner is authorized to draw on the Deposit Account of Fulbright & Jaworski L.L.P., Account No. 50-0624 (10204752/MM/HR), if there is any problem with the processing of the electronically submitted fee.

Respectfully submitted,

Date: January 5, 2007



Mark M. Mutterperl  
Jessica S. Parise  
FULBRIGHT & JAWORSKI L.L.P.  
666 Fifth Avenue  
New York, New York 10103  
Telephone: (212) 318-3183  
Facsimile: (212) 318-3400

ATTORNEYS FOR PETITIONER

United States Patent and Trademark Office  
Commissioner for Trademarks  
P.O. Box 1461  
Alexandria, VA 22304-1461  
3 Underivable Postmark in Ten Days

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

AN EQUAL OPPORTUNITY EMPLOYER

UNITED STATES POSTAL SERVICE  
SPECIAL MAIL  
PENALTY FOR  
PRIVATE USE \$300  
\$01.15<sup>0</sup>  
0004202146 JUN 05 2007  
MAILED FROM ZIP CODE 22314

NOT MATERIAL  
AS RECEIVED  
UNABLE TO FORWARD

98046911

CELECO CORPORATION  
8310 S. WILLEY HIGHWAY  
SUITE 400  
ENGLEWOOD, CO 80150  
UNABLE TO FORWARD  
AS RECEIVED

