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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	PeterW.Marder		
Entity	Individual	Citizenship	UNITED STATES
Address	1331 Amberlea Dr. E Dunedin, FL 34698 UNITED STATES		

Attorney information	Brian Gibbons 3936 S. Semoran Blvd., Suite 330 Orlando, FL 32822 UNITED STATES trademarks@briangibbons.com Phone:407-384-6156		
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Registration Subject to Cancellation

Registration No	3113982	Registration date	07/11/2006
Registrant	Newspapers for Women, Inc. 5110 E Lake Valencia Blvd. Palm Harbor, FL 34684 UNITED STATES		
Goods/Services Subject to Cancellation	Class 041. First Use: 2004/12/01 , First Use In Commerce: 2004/12/15 Goods/Services: Publication of electronic newspapers of interest to women accessible via a global computer network		

Attachments	78906475#TMSN.jpeg (1 page)(bytes) womensnews.01.pdf (4 pages)(62402 bytes)
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Signature	/Brian Gibbons/
Name	Brian Gibbons
Date	06/28/2007

BRIAN R. GIBBONS, P.A.

Attorney at Law

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

PETER W. MARDER,
an individual,
Petitioner

v.

NEWSPAPERS FOR WOMEN, INC.,
a Florida corporation,
Registrant

In the matter of
Registration No. 3,113,982

For the mark:
WN

Registered on the Principal Register
On July 11, 2006

Cancellation No.

PETITION TO CANCEL

PETITION TO CANCEL

Petitioner, Peter W. Marder, is an individual and United States citizen whose principal address is 1331 Amberlea Dr East, Dunedin, FL 34698.

Registrant, Newspapers for Women, Inc., is a Florida corporation whose last known address was 5110 E Lake Valencia Blvd., Palm Harbor, FL 34684.

Petitioner believes that it will be damaged by the above-identified registration, and hereby petitions to cancel such registration.

The grounds for cancellation are as follows:

1. Petitioner has used the WN mark in connection with printed publications, since at least as early as 1999.

File: 07-146
Document: WOMENSNEWS.01

BRIAN R. GIBBONS

Attorney at Law

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2. Petitioner has developed extensive goodwill throughout the United States with respect to its WN mark.
3. Petitioner has spent substantial sums for the advertisement and promotion of its services identified by the WN mark throughout the United States.
4. As a result of the expenditure of considerable sums for promotional activities and advertising, and by virtue of the high quality of its services, Petitioner has garnered a valuable reputation for its WN mark.
5. Registration No. 3113982 was issued on or about July 11, 2006, and identifies the Registrant as Newspapers for Women, Inc., a Florida corporation whose last known address was 5110 E Lake Valencia Blvd., Palm Harbor, FL 34684.
6. Registration No. 3113982 is for use of the trademark WN in connection with "Publication of electronic newspapers of interest to women accessible via a global computer network, in International Class 41."
7. Petitioner has filed an application (Serial No. 78/906,475) to register, on the Principal Register, the WN WOMEN'S NEWS mark for its products in International Class 16.
8. The examining attorney assigned to Application Serial No. 78/906,475 has refused registration of the WN WOMEN'S NEWS mark, asserting that the WN WOMEN'S NEWS mark so resembles the mark WN in Registration No. 3113982 as to be likely to cause confusion, to cause mistake, or to deceive.

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ABANDONMENT

9. On information and belief, Petitioner avers that Registrant is not presently using, has no intention to use and is currently barred from using the WN mark in connection with the services described in Registration No. 3113982.
10. On information and belief, Petitioner avers that Registrant has not used the WN mark in connection with the services described in Registration No. 3113982 for at least three years prior to the filing of this Petition.
11. Registrant has abandoned the WN mark in connection with the services described in Registration No. 3113982.

LIKELIHOOD OF CONFUSION

12. Petitioner has used the WN mark in connection with its above-stated goods since at least as early as 1999, long prior to any use by Registrant.
13. Petitioner intends to continue use of the WN mark in connection with these goods and services.
14. If Registrant is permitted to maintain Registration No. 3113982, Registrant would continue to have at least a prima facie exclusive right to the use of the mark WN in connection with such services, and said Registration may preclude Petitioner from registering the trademark WN on the Principal Register and obtaining the accompanying protection available to Petitioner. Registration No. 3113982 would thus be a source of damage and injury to Petitioner.

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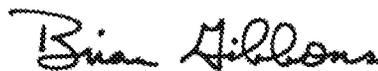
15. If Registration No. 3113982 is cancelled, a likelihood of confusion will no longer exist between Registrant's WN mark and Petitioner's WN mark.

WHEREFORE, Petitioner prays that Registration No. 3113982 be cancelled.

The required fee under 37 C.F.R. §2.6(a)(16) is enclosed herewith.

Petitioner has appointed Brian R. Gibbons, an attorney admitted to practice before the Supreme Court of the State of Florida, whose principal office is located at 3936 S. Semoran Blvd., Suite 330, Orlando, Florida 32822, as its duly authorized agent and attorney in the matter of this cancellation, with full power of substitution and revocation, to transact all business with the Patent and Trademark Office and elsewhere in the United States courts in connection with this cancellation, to sign all papers which may be hereinafter filed in connection with this cancellation, and to receive all communications relating to this cancellation.

Respectfully submitted,



Brian R. Gibbons
Attorney for Petitioner

06/28/07

Date

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