

TTAB

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

Mailed: July 10, 2007 95/794, 814

Cancellation No. 92047774  
Registration No. 2524033

Joseph D. Lewis  
Barnes & Thornburg  
750 17th Street, N.W., Suite 900  
Washington, DC 20006

Chr. Hansen A/S

v.

LESAFFRE ET COMPAGNIE

Camille M. Miller  
Cozen O'Connor  
1900 Market Street, IP Department  
Philadelphia, PA 19103

Tyrone Craven, Paralegal Specialist:

A petition, copy of which is attached, has been filed to  
cancel the above-identified registration.

**ANSWER IS DUE FORTY DAYS** after the mailing date hereof. (See  
Trademark Rule 2.196 for expiration date falling on  
Saturday, Sunday, or a holiday.)

Proceedings will be conducted in accordance with the  
Trademark Rules of Practice, set forth in Title 37, part 2,  
of the Code of Federal Regulations. Notices concerning the  
rules changes, as well as the *Trademark Trial and Appeal  
Board Manual of Procedure* (TBMP), are available on the  
TTAB's web page at [www.uspto.gov/web/offices/dcom/ttab/](http://www.uspto.gov/web/offices/dcom/ttab/).

The parties are particularly referred to Trademark Rule  
2.126 pertaining to the form of submissions. Paper  
submissions, including but not limited to exhibits and  
depositions, not filed in accordance with Trademark Rule



07-23-2007

U.S. Patent & TMO/TM Mail Rcpt Dt. #30

2.126 may not be given consideration or entered into the case file.

In the registration here involved, respondent has designated **Joseph D. Lewis of Barnes & Thornburg** as its U. S. representative on whom may be served notices affecting this mark.

If the respondent desires to be represented by counsel in this proceeding, a power of attorney to that effect may be filed, or respondent's chosen counsel may simply make an appearance pursuant to Trademark Rule 2.17. Respondent's copy of communications from the Board will be sent to respondent's domestic representative until counsel is appointed or makes an appearance in behalf of respondent. See Trademark Rule 2.119(d).

**Discovery and testimony dates are set as indicated below:**

Discovery period to open: 7/30/07

Discovery period to close: 1/26/08

30-day testimony period for party  
in position of plaintiff to close: 4/25/08

30-day testimony period for party  
in position of defendant to close: 6/24/08

15-day rebuttal testimony period  
to close: 8/8/08

A party must serve on the adverse party a copy of the transcript of any testimony taken during the party's testimony period, together with copies of documentary exhibits, within 30 days after completion of the taking of such testimony. Trademark Rule 2.125.

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.

**NOTE:** The Board allows parties to utilize telephone conferences to discuss or resolve many interlocutory matters that arise in inter partes cases. See TBMP § 502.06(a) (2d ed. rev. 2004).

If the parties to this proceeding are (or during the pendency of this proceeding, become) parties to another

Board or civil proceeding involving related marks or other common issues of law or fact, they shall notify the Board immediately, so that the Board can consider consolidation or suspension of proceedings, if appropriate.

**New Developments at the Trademark Trial and Appeal Board**

For faster handling of all papers, the TTAB strongly encourages electronic filing whenever possible. TTAB forms for electronic filings are available at <http://estta.uspto.gov>. Images of TTAB proceeding files can be viewed using TTABvue at <http://ttabvue.uspto.gov>.

ESTTA Tracking number: **ESTTA149446**

Filing date: **07/05/2007**

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	Chr. Hansen A/S		
Entity	Corporation	Citizenship	Denmark
Address	Boege Alle 00-12 Hoersholm, DK-2970 DENMARK		

Attorney information	Camille M. Miller Cozen O'Connor 1900 Market Street IP Department Philadelphia, PA 19103 UNITED STATES hdiamond@cozen.com Phone:215-665-7273
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**Registration Subject to Cancellation**

Registration No	2524033	Registration date	01/01/2002
International Registration No.	NONE	International Registration Date	NONE
Registrant	LESAFFRE & CIE 41, rue Etienne Marcel 75001 Paris, FRANCE		
Goods/Services Subject to Cancellation	Class 001 Goods/Services: Ingredients and additives for industrial and commercial use in preparing and improving bread, namely, dough conditioners, parnary leaven yeast, leaven barm and alimentary pastes, sour dough flavoring and sour dough starter culture; aromatic chemicals for use in the manufacture of food		
	Class 030 Goods/Services: Flour; bread; pastries; confectionery chips for baking; honey; treacle; yeast; baking powder; leaven; parnary leaven; salt; aromatic food additives for non-nutritional purposes		
Grounds for Cancellation	Abandonment Trademark Act section 14		

Attachments	Chr Petition for Cancellation.pdf ( 3 pages )(104303 bytes )
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Signature	/Camille M. Miller/
Name	Camille M. Miller
Date	07/05/2007

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

Chr. Hansen A/S,	)	
	)	Cancellation No.
Petitioner,	)	
	)	U.S. Reg. No. 2524033
v.	)	
	)	
LESAFFRE & CIE,	)	Mark: <b>SAF PRO</b>
	)	
Registrant.	)	
_____		)

USPTO-TTAB  
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**PETITION FOR CANCELLATION**

Chr. Hansen A/S, a Denmark corporation with a principal place of business at Boege Allé 10-12 DK-2970 Hoersholm, Denmark ("Petitioner"), believes that it will be damaged by the continued registration of U.S. Registration No. 2524033 and hereby petitions to cancel same. As grounds of cancellation, it is alleged that:

1. Upon information and belief, the Registrant Lesaffre & Cie (hereinafter "Registrant"), a France limited liability partnership with a principal place of business at 41, Rue Etienne Marcel, 75001 Paris, France.
2. Registrant filed an application to register the mark SAF PRO in the United States Patent and Trademark Office on September 9, 1999. This application was accorded Serial Number 75794844.
3. Registrant's application Serial Number 75794844 issued into Registration No. 2524033 on January 1, 2002 for "ingredients and additives for industrial and commercial use

in preparing and improving bread, namely, dough conditioners, primary leaven yeast, leaven barm and alimentary pastes, sour dough flavoring and sour dough starter culture; aromatic chemicals for use in the manufacture of food” in International Class 1; and for “flour; bread; pastries; confectionery chips for baking; honey; treacle; yeast; baking powder; leaven; primary leaven; salt; aromatic food additives for non-nutritional purposes” in International Class 30.

4. Petitioner is the owner of pending U.S. Trademark Application Serial No. 79/013650 for SAFEPRO for “bacteriological preparations for use in scientific research and food manufacture and not for medical and veterinary applications; enzyme preparations for industrial use” in International Class 1; “food colorants, including natural colorants” in International Class 2; “enzyme preparations for medical and veterinary use; bacteriological preparations for medical and veterinary use” in International Class 5; “milk and milk products excluding ice cream, ice milk, and frozen yoghurt; edible oils and fats; prepared foods, namely meat” in International Class 29; and for “spices; seasonings; spices and aromatic substances for food in the nature of preparation for food, namely food additives for non-nutritional purposes for use as a flavouring; food flavourings, other than essential oils” in International Class 30.

5. The Examining Attorney has cited U.S. Reg. No. 2524033 as a bar to registration of Petitioner’s application, Serial No. 79/013650. As such, Petitioner has standing to bring this action.

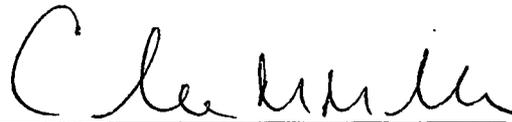
6. Upon information and belief, Registrant is not using its mark SAF PRO in United States commerce.

7. Upon information and belief, Registrant has abandoned its mark SAF PRO in the United States.

WHEREFORE, Petitioner prays that U.S. Reg. No. 2524033 be cancelled, and this Cancellation Proceeding be sustained in Petitioner's favor.

Respectfully submitted,

COZEN O'CONNOR, P.C.



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Telephone: (215) 665-2000  
Facsimile: (215) 665-2013  
*Attorneys for Petitioner*

**United States Patent and Trademark Office**

Commissioner for Trademarks

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92047774 /

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