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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	India Ink, Inc.		
Entity	Corporation	Citizenship	California
Address	2457 East 27th Street Los Angeles, CA 90058 UNITED STATES		

Attorney information	Dorie Choderker Law Offices Of Dorie Choderker 1901 Avenue Of The Stars Second Floor Los Angeles, CA 90067 UNITED STATES choderker.dorie@verizon.net Phone:310-461-1340
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Registration Subject to Cancellation

Registration No	1512141	Registration date	11/08/1988
Registrant	MONTGOMERY WARD & CO., INCORPORATED MONTGOMERY WARD PLAZA CHICAGO, IL 60671 UNITED STATES		
Goods/Services Subject to Cancellation	Class 042. First Use: 1987/10/04 , First Use In Commerce: 1987/10/04 Goods/Services: RETAIL DEPARTMENT STORE SERVICES		
Grounds for Cancellation	Abandonment Trademark Act section 14		

Attachments	Petition.pdf (3 pages)(20987 bytes)
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Signature	/Dorie Choderker/
Name	Dorie Choderker
Date	07/09/2007

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

In The Matter of Registration No. 1,512,141 in Class 42
For The Mark: HOME IDEAS
Registration Date: November 8, 1988

INDIA INK, INC.,)	
)	
Petitioner,)	Cancellation No.: _____
)	
v.)	
)	
DIRECT MARKETING SERVICES, INC.,)	
)	
Respondent.)	

PETITION FOR CANCELLATION

Petitioner India Ink, Inc. ("Petitioner"), a California corporation, located and doing business at 2457 East 27th Street, Los Angeles, California 90058, believes it is and will continue to be damaged by the maintenance of Registration No. 1,512,141 on the Principal Register and hereby petitions to cancel the same.

The grounds for cancellation are as follows:

1. Petitioner is the owner of pending Application Serial No. 78/660126 for the trademark IN HOME IDEAS ("Petitioner's Application") which it intends to use in connection with bathroom accessories, namely, towels bars, towel rings, towel trees, towel holders, towel racks, soap dishes, lotion dispensers, liquid soap dispensers, toothbrush holders, bathroom cup and toothbrush holders, denture holders, toilet tissue holders, toilet tissue canisters, toilet tissue roll holders, tissue box holders, ceramic tissue box covers, toilet brush and holder sets, toilet

brushes, toilet brush holders, tumblers, cup holders, cotton ball/cotton swab holders, candle holders, pillar holders, pillar plates, and votive holders not of precious metal, potpourri bowls, potpourri dishes, drinking glasses, plates, trays, vanity trays, shelves, waste baskets, hampers in International Class 21.

2. To the best of Petitioner's knowledge, the name and address of the current owner of record of Registration No. 1,512,141 is Respondent Direct Marketing Services, Inc. ("Respondent"), an Illinois corporation, with an address of 2245 S. Michigan Avenue, Chicago, Illinois 60616.

3. Registration No. 1,512,141 covers the service mark HOME IDEAS (the "Registration") for retail department store services in International Class 42 (the "Services").

4. The U.S. Patent and Trademark Office has refused registration of Petitioner's Application under 15 U.S.C. § 1052 (d) based on the existence of the Registration. Thus, Petitioner is being damaged by Respondent's continued registration of the Registration for the Services and has a real interest in this proceeding.

5. Upon information and belief, Respondent has discontinued use of the mark shown in the Registration for the Services with the intent not to resume use of the mark shown in the Registration for the Services.

6. Upon information and belief, Respondent has discontinued use of the mark shown in the Registration for the Services for a period exceeding three consecutive years.

7. Upon information and belief, Respondent has discontinued use of the mark shown in the Registration for the Services for a period exceeding three consecutive years with the intent not to resume use of the mark shown in the Registration for the Services.

8. By reason of the foregoing, Respondent has abandoned its rights, if any, in the mark

shown in the Registration for the Services within the meaning of Section 45 of the Trademark Act, 15 U.S.C. § 1127.

9. The continued registration of the Registration for the Services has caused and will continue to cause damage to Petitioner.

WHEREFORE, Petitioner prays that the Registration be cancelled.

Respectfully submitted,

Dated: July 9, 2007

By: /Dorie Choderker/

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