

ESTTA Tracking number: **ESTTA175327**Filing date: **11/16/2007**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	Victoria Vogel for V V Sterling Corporation		
Entity	Corporation	Citizenship	California
Address	1904 Clark Redondo Beach, CA 90278 UNITED STATES		

Attorney information	Susan Rabin; Christopher Pham Gareeb Pham, LLP 707 Wilshire Blvd Suite 5300 Los Angeles, CA 90017 UNITED STATES srabin@gareebpham.com, cpham@gareebpham.com Phone:213-455-2930
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**Registration Subject to Cancellation**

Registration No	3253838	Registration date	06/19/2007
Registrant	Bennett Productions, Inc. 2032 Armacost Avenue, First Floor Los Angeles, CA 90025 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 009. First Use: 2002/06/30 First Use In Commerce: 2002/06/30 All goods and services in the class are cancelled, namely: AUDIOVISUAL PROGRAMS RELATING TO ENTERTAINMENT AND EDUCATION, NAMELY, PRERECORDED MOTION PICTURE FILMS, VIDEOTAPES AND VIDEODISCS, AND DIGITAL DOWNLOADS
Class 041. First Use: 2002/06/30 First Use In Commerce: 2002/06/30 All goods and services in the class are cancelled, namely: ENTERTAINMENT SERVICES, NAMELY, ON-GOING TELEVISION PROGRAMS IN THE FIELD OF TRAVEL, BEAUTY, AND FASHION

**Grounds for Cancellation**

Deceptiveness	Trademark Act section 2(a)
<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
The registration is being used by, or with the permission of, the registrant so as to misrepresent the source of the goods or services on or in connection with which the mark is used.	Trademark Act section 14
Priority and likelihood of confusion	Trademark Act section 2(d)
Other	false advertising; copyright infringement; unfair competition; antitrust violations.

Related	Victoria Vogel, VV Sterling Corp, The Bikini Network.com v. C.Casey Bennett,
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Proceedings	Bennett Productions - Case # BC352438, Calif Superior Ct, Los Angeles County, filed 5/15/06.
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## Marks Cited by Petitioner as Basis for Cancellation

U.S. Application No.	76010035	Application Date	03/27/2000
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WWW.BIKINIDESTINATIONS.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: An Internet-based display of swimsuit models to and for the entertainment and interest of others		

U.S. Application No.	76010031	Application Date	03/27/2000
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WWW.THEBIKININETWORK.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: An Internet-based display of swimsuit models to and for the entertainment and interest of others		

U.S. Application No.	76010032	Application Date	03/27/2000
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WWW.BIKINIBEACHBABES.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: An Internet-based display of swimsuit models to and for the entertainment and interest of others		

U.S. Application No.	76010033	Application Date	03/27/2000
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WWW.CALIFORNIABIKINITEAM.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use:		

	An Internet-based display of swimsuit models to and for the entertainment and interest of others
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U.S. Application No.	76010034	Application Date	03/27/2000
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WWW.CALIFORNIABIKINIBABES.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: An Internet-based display of swimsuit models to and for the entertainment and interest of others		

U.S. Application No.	76010030	Application Date	03/27/2000
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	WWW.VICTORIAVOGEL.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: An Internet-based display of swimsuit models to and for the entertainment and interest of others		

Attachments	76010035#TMSN.gif ( 1 page )( bytes ) 76010031#TMSN.gif ( 1 page )( bytes ) 76010032#TMSN.gif ( 1 page )( bytes ) 76010033#TMSN.gif ( 1 page )( bytes ) 76010034#TMSN.gif ( 1 page )( bytes ) 76010030#TMSN.gif ( 1 page )( bytes ) Basis for Cancellation Petition.pdf ( 1 page )(47145 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/susanrabin/; /christopherqpham/
Name	Susan Rabin; Christopher Pham
Date	11/16/2007

Petitioner has been using the Mark, *Bikini Destinations*, continually in commerce as a trademark for its entertainment services related to beauty, travel, and fashion continuously since in or around early 2000. The Opposed User alleges in his sworn declaration that he started operating his business under “*Bikini Destinations*,” in June, 2002, two and one half years after Petitioner commenced using *Bikini Destinations*. The Opposed User’s misuse of Petitioners’ Mark constitutes willful infringement, false designation of origin and unfair competition in violation of Section 43(a) of the *Lanham Act*, 15 U.S.C. § 1125(a), unfairly competes with Petitioners, will tarnish and dilute the strength and value of Petitioner’s Mark, and is likely to cause confusion, mistake, or to deceive, mislead, betray, and defraud consumers to believe that Petitioners are the source of the Opposed User’s services and goods.