

ESTTA Tracking number: **ESTTA183469**

Filing date: **12/27/2007**

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	Sysco Corporation		
Entity	Corporation	Citizenship	Delaware
Address	1390 Enclave Parkway Houston, TX 77077 UNITED STATES		

Attorney information	Nathan C. Belzer Belzer PC 2905 Bull St. Savannah, GA 31405 UNITED STATES nbelzer@belzerlaw.com Phone:912.236.3001		
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Registrations Subject to Cancellation

Registration No	2865755	Registration date	07/20/2004
Registrant	Joseph Weil & Sons, Inc. 825 East 26th Street LaGrange Park, IL 60526 UNITED STATES		

Goods/Services Subject to Cancellation

Class 016. First Use: 2003/10/29 First Use In Commerce: 2003/10/29 All goods and services in the class are cancelled, namely: paper towels and toilet paper

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)		
Registration No	2973345	Registration date	07/19/2005
Registrant	Joseph Weil & Sons, Inc. 825 East 26th St. LaGrange Park, IL 60526 UNITED STATES		

Goods/Services Subject to Cancellation

Class 003. First Use: 2003/10/29 First Use In Commerce: 2003/10/29 All goods and services in the class are cancelled, namely: hand soap
Class 016. First Use: 2003/10/29 First Use In Commerce: 2003/10/29 All goods and services in the class are cancelled, namely: paper towels and toilet paper

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	78960650	Application Date	08/25/2006
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	IMPERIAL		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 016. First use: First Use: 1995/09/01 First Use In Commerce: 1995/09/01 Facial tissue; Toilet paper		

Attachments	78960650#TMSN.jpeg (1 page)(bytes) IMPERIAL -- Petition to Cancel.pdf (3 pages)(44004 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 Facsimile or email (by agreement only) on this date.

Signature	/Nathan C. Belzer/
Name	Nathan C. Belzer
Date	12/27/2007

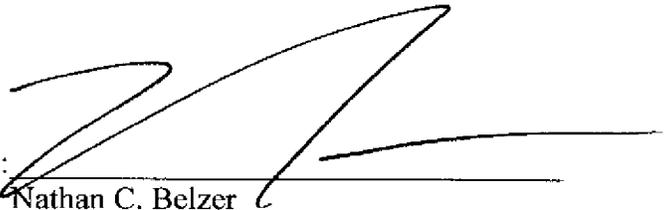
following goods: "paper towels and toilet paper" in International Class 16; and "hand soap" in International Class 3.

4. Registrant's marks IMPERIAL IMPRESSIONS and IMPERIAL ELEGANCE so resemble Petitioner's IMPERIAL mark as to be likely when applied to the goods set forth in the registrations, to cause confusion, mistake or deception within the meaning of Section 2(d) of the Trademark Act.

Wherefore, Petitioner prays that Registration No. 2,865,755, for the mark IMPERIAL IMPRESSION, and Registration No. 2,973,345, for the mark IMPERIAL ELEGANCE, be canceled in their entireties.

Respectfully submitted,

SYSCO CORPORATION



By:

Nathan C. Belzer
Attorney for Petitioner

Date: 12-27-07

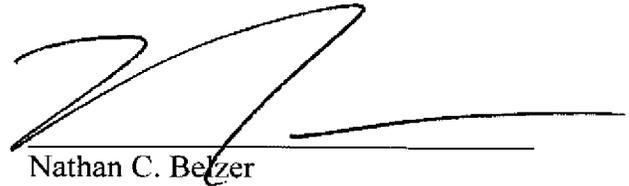
Belzer PC
2905 Bull St.
Savannah, GA 31405
(912) 236-3001 - Telephone
(912) 236-3003 - Facsimile

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this the 27th day of December, 2007, a true and correct copy of the foregoing Petition for Cancellation was sent via email to Registrant's correspondent of record as indicated in the assignment records of the USPTO:

Changhoon Lee
Blackwell Sanders Peper Martin LLP
24th Floor
720 Olive Street
St. Louis MO 63101

Registrant's counsel has agreed to accept such service via email.



Nathan C. Belzer