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Filing date: **01/02/2008**

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    | aSmallWorld Ltd.                                                     |             |                |
| Entity  | Corporation                                                          | Citizenship | United Kingdom |
| Address | Eagle House, 110 Jermyn Street<br>London, SW1Y 6RH<br>UNITED KINGDOM |             |                |

|                      |                                                                                                                                                                                         |  |  |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| Attorney information | Robert B. Golden<br>Lackebach Siegel LLP<br>One Chase Road Lackebach Siegel Building<br>Scarsdale, NY 10583<br>UNITED STATES<br>rgolden@LSLLP.com, nsaraco@LSLLP.com Phone:914-723-4300 |  |  |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|

### Registration Subject to Cancellation

|                                |                                                                                               |                                 |            |
|--------------------------------|-----------------------------------------------------------------------------------------------|---------------------------------|------------|
| Registration No                | 3137789                                                                                       | Registration date               | 09/05/2006 |
| International Registration No. | NONE                                                                                          | International Registration Date | NONE       |
| Registrant                     | Small World Net Corporation<br>3008 Silverthorn Drive<br>Oakville, ONTARIO, L6L 5N6<br>CANADA |                                 |            |

### Goods/Services Subject to Cancellation

|                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Class 035.<br>All goods and services in the class are cancelled, namely: Managing contact information between individuals or corporate customer service databases or departments to facilitate communication                                        |
| Class 038.<br>All goods and services in the class are cancelled, namely: Telecommunications access services                                                                                                                                         |
| Class 042.<br>All goods and services in the class are cancelled, namely: Providing non-downloadable software for use in managing contact information between individuals or corporate customer databases or departments to facilitate communication |

### Grounds for Cancellation

|             |                          |
|-------------|--------------------------|
| Abandonment | Trademark Act section 14 |
|-------------|--------------------------|

|             |                                                                            |
|-------------|----------------------------------------------------------------------------|
| Attachments | Petition for Cancellation - Corporation.pdf.pdf ( 7 pages )(468722 bytes ) |
|-------------|----------------------------------------------------------------------------|

## 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 | /Robert B. Golden/ |
| Name      | Robert B. Golden   |
| Date      | 01/02/2008         |

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

**In re: Registration No.**      **3,137,789**  
**Trademark:**                    **SMALL WORLD NET**  
**International Class:**        **35, 38, 42**  
**Registration Date:**         **September 5, 2006**

|                              |   |                          |
|------------------------------|---|--------------------------|
| AS SMALL WORLD LTD.          | X |                          |
|                              | : |                          |
| Petitioner,                  | : |                          |
|                              | : |                          |
| v.                           | : | <b>Cancellation No.:</b> |
|                              | : |                          |
| SMALL WORLD NET CORPORATION, | : |                          |
|                              | : |                          |
| Registrant.                  | : |                          |
|                              | X |                          |

**PETITION FOR CANCELLATION**

Petitioner, aSmallWorld Ltd. (“Petitioner”), a corporation duly organized and existing under the laws of the country of the United Kingdom, with offices at Eagle House, 110 Jermyn Street, London Sw1y 6RH, United Kingdom, believes that it is being damaged and that it will continue to be damaged by the continued registration on the Principal Register of U.S. Registration No. 3,137,789 for the mark SMALL WORLD NET, in International Classes 35, 38, and 42 by Small World Net Corporation.

As grounds for cancellation, Petitioner alleges:

1. Petitioner is a corporation duly organized and existing under the laws of the country of the United Kingdom, with offices at Eagle House, 110 Jermyn Street, London Sw1y 6rh, United Kingdom.

2. Petitioner is the owner of the following United States Trademark Applications (“Petitioner’s Applications”):
  - a. United States Serial No. 78/717,338 for the trademark ASMALLWORLD filed on September 21, 2005 for use in connection with “Providing multiple-user access to a global computer information network of websites; access to electronic messaging systems, namely, providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; computer aided transmission of messages and images; electronic mail services in International Class 38; for use in connection with “Travel information services provided over the internet; providing links to web sites of others featuring travel; transportation information in the nature of travel and tour information provided over the internet” in International Class 39; and for use in connection with “Providing a website featuring information on and about special events and parties, recreation, points of interest, education, and booking of seats for shows; providing non-downloadable on-line publications in the nature of electronic books, magazines, journals and newsletters in the field of general interest; providing an online educational and entertainment electronic database featuring multi-user interactive computer games in the fields of sports, entertainment, politics and finance; entertainment services in the nature of online gaming services; entertainment services, namely, providing prerecorded music, information in the field of music, and commentary and articles about music, all on-line via a global

computer network; entertainment services, namely, provision of non-downloadable films via an online video-on-demand service” in International Class 41; and

- b. United States Serial No. 78/979,411 for the trademark ASMALLWORLD filed on September 21, 2005 for use in connection with “on-line advertising and marketing services; advertising via electronic media and specifically the internet; promoting the goods and services of others by distributing advertising materials through a variety of methods; provision of advertising space by electronic means and global information networks; providing and rental of advertising space on the internet; dissemination of advertising for others via the internet; commercial information services and advice for members, provided online via a computer network; providing consumer product information via the internet; marketing by compilation and display of a variety of goods and services, on behalf of others, to permit customers and users to acquire information on and purchase goods and services; business advice and information provided on-line via computer network; general business networking referral services, namely, promoting the goods and services of others by passing business leads, business contacts and referrals among group members; employment hiring, recruiting, placement, staffing and career networking services and information provided on-line via computer network; organizing business competitions on-line via computer networks for the purpose of advertising and sales promotion; computerized collection of

business information indices, namely, customer indexes; collection, preparation, composition, processing, acquisition and provision of business information in databases; management of computerized files” in International Class 35; for “providing information on insurance matters, financial services and real estate listings via the internet” in International Class 36; for “providing online reviews of restaurants and hotels” in International Class 43; and for “internet based dating services; providing information in the field of clothing rental online via computer network” in International Class 45, (collectively with the services in ¶2.a “Petitioner’s Services”).

3. Petitioner has used the mark ASMALLWORLD in interstate commerce since March 18, 2004 on or in connection with Petitioner’s Services.

4. Upon information and belief and according to the Patent and Trademark Office’s (“PTO”) records, Small World Net Corporation (“Registrant”) is a corporation duly organized and existing under the laws of the country of Canada with an address of 3008 Silverthorn Drive, Oakville, ON L6L 5N6.

5. Registrant is the record owner of the U.S. trademark mark registration for SMALL WORLD NET (“Registrant’s Mark”), Reg. No. 3,137,789, for use in connection with “Managing contact information between individuals or corporate customer service databases or departments to facilitate communication,” in International Class 35; for “telecommunications access services” in International Class 38, and for “providing non-downloadable software for use in managing contact information between individuals or corporate customer databases or departments to facilitate communication” in International Class 42 (“Registrant’s Registration”).

6. Upon information and belief and according to the PTO's records, Registrant's Mark was registered on the Principal Register on September 5, 2006.

7. Upon information and belief, Registrant has intentionally ceased all use of Registrant's Mark and Registrant has no intention to resume use of Registrant's Mark at any time in the future.

8. Upon information and belief, Registrant has intentionally abandoned Registrant's Mark as well as Registrant's Registration thereof.

9. In the prosecution of Petitioner's Application 78/717,338, the PTO has cited Registrant's Registration for Registrant's Mark as a bar to the registration of Petitioner's Application.

10. The registration and continued registration of Registrant's Mark has damaged, and will continue to damage, Petitioner as such registration may bar Petitioner's own use and registration of Petitioner's Application 78/717,338 for ASMALLWORLD in connection with Petitioner's Services, and further, continued registration provides Registrant with a means to interfere with Petitioner's efforts to promote and use Petitioner's Applications in commerce in connection with Petitioner's Services.

**WHEREFORE**, Petitioner believes that it is being damaged by the continued registration of Registration No. 3,137,789 for the trademark SMALL WORLD NET for Registrant's Goods in International Class 35, 38, and 42 and respectfully prays that Registrant's registration be canceled and stricken from the Principal Register.

**The Commissioner is hereby authorized to charge Petitioner's Attorneys' Deposit Account No. 100100 for the requisite opposition filing fee of \$900.00, required by 37 C.F.R. §§ 2.111 and 2.6, and to charge any additional fees which may be required or to credit any overpayments to the same deposit account.**

Dated: Scarsdale, New York  
January 2, 2008

Respectfully submitted,

**LACKENBACH SIEGEL LLP**

By:  \_\_\_\_\_

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*Attorneys for Petitioner*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the enclosed **PETITION FOR CANCELLATION** was served on Registrant on January 2, 2008 via Air Mail, addressed to Registrant as follows:

Small World Net Corporation  
3008 Silverthorn Drive  
Oakville, Ontario L6L 5N6

Dated: Scarsdale, New York  
January 2, 2008

  
\_\_\_\_\_  
Nicole Saraco