

ESTTA Tracking number: **ESTTA243175**

Filing date: **10/16/2008**

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	Stephanie Jarin		
Entity	Individual	Citizenship	UNITED STATES
Address	9487 Dayton Way Beverly Hills, CA 90210 UNITED STATES		

Attorney information	Jeffrey L. Van Hoosear Knobbe, Martens, Olson & Bear, LLP 2040 Main Street 14th Floor Irvine, CA 92614 UNITED STATES efiling@kmob.com Phone:949-760-0404		
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**Registration Subject to Cancellation**

Registration No	1283344	Registration date	06/26/1984
International Registration No.	NONE	International Registration Date	NONE
Registrant	Rene Mancini 20 rue du Boccador Paris, 75008 FRANCE		

**Goods/Services Subject to Cancellation**

Class 018. First Use: 1967/00/00 First Use In Commerce: 1982/09/00 All goods and services in the class are cancelled, namely: (based on use in commerce): Handbags and Purses Made of Leather, Imitation Leather and Skins. For (based on France registration): Umbrellas, Luggage, Pocket Wallets
Class 025. First Use: 1936/00/00 First Use In Commerce: 1979/00/00 All goods and services in the class are cancelled, namely: (based on use in commerce): Boots, Shoes, Slippers, and Scarves. For (based on France registration): Tights and Belts
Class 042. First Use: 1967/00/00 First Use In Commerce: 1982/00/00 All goods and services in the class are cancelled, namely: Retail Store Services Specializing in the Sale of Footwear and Leather Goods

**Grounds for Cancellation**

<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Abandonment	Trademark Act section 14

Attachments	SJARIN.002CN.pdf ( 4 pages )(150868 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	/jeffrey l van hoosear/
Name	Jeffrey L. Van Hoosear
Date	10/16/2008

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

Stephanie Jarin,  
  
Petitioner,

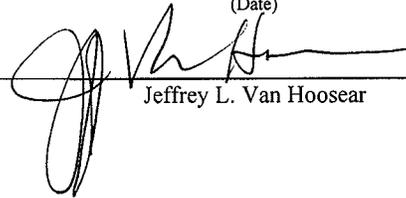
v.

Rene Mancini,  
  
Respondent.

) I hereby certify that this correspondence and all marked  
) attachments are being electronically filed with the Trademark  
) Trial and Appeal Board of the U.S. Patent and Trademark  
) Office through their web site located at <http://esta.uspto.gov>  
) on

October 16, 2008

(Date)



Jeffrey L. Van Hoosear

**PETITION FOR CANCELLATION**

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Sir or Madam:

Stephanie Jarin, a U.S. citizen (“Petitioner”) believes that she has or will be damaged by Registration No. 1,283,344 for the mark RENE MANCINI owned by Rene Mancini, (“Respondent”), registered on the Principal Register for “Handbags and purses made of leather, imitation leather and skins, umbrellas, luggage, pocket wallets in Class 18; boots, shoes, slippers, and scarves, tights and belts in Class 25; and retail store services specializing in the sale of footwear and leather goods in Class 42” and hereby petitions to cancel same on the grounds that Respondent has failed to use its mark, that Respondent has abandoned its mark, and that Respondent committed fraud upon the Trademark Office in the filing of its renewal application dated June 3, 2004. Respondent’s Trademark Registration No. 1,283,344 is described as follows:

Mark: RENE MANCINI  
Goods: Handbags and purses made of leather, imitation leather and skins, umbrellas, luggage, pocket wallets in Class 18; boots, shoes, slippers, and scarves, tights and belts in Class 25; and retail store services specializing in the sale of footwear and leather goods in Class 42  
Filed: March 21, 1983  
Alleged First Use: 1936  
Registered: June 26, 1984

As grounds for cancellation, it is alleged that:

1. On information and belief, Respondent has abandoned the mark shown in Registration No. 1,283,344 by discontinuing use of said mark in the United States with no intent to initiate or resume said use.

2. On information of belief, Respondent was not using the mark shown in Registration No. 1,283,344 in commerce on all the goods and services identified in the registration as claimed in the renewal registration. A claim of bona fide use in commerce on all the identified goods and services shown in the registration when the Registrant knew or should have known such claim was false constitutes fraud on the Trademark Office. Fraud on a Trademark subjects the entire registration to cancellation.

3. Petitioner is the owner of U.S. Trademark Application Serial Nos. (Nos. Unknown as not yet filed) for the marks MANCINI, R. MANCINI, and RENE MANCINI in connection with "clothing and footwear" ("Applicant's Applications").

4. Petitioner has been, and continues to be, damaged in that U.S. Registration No. 1,283,344 may be cited against the Applications as a basis for refusal of registration under Trademark Act Section 2(d). Any refusal by the United States Patent and Trademark Office to register Petitioner's marks will damage Petitioner, and will continue to damage Petitioner by any such refusal to register.

5. In view of Respondent's non-use of the mark RENE MANCINI shown in U.S. Registration No. 1,283,344, Respondent is not entitled to registration of the mark pursuant to Section 14(3) of the Trademark Act, 15, U.S.C. § 1064(3), and as such, said registration should be cancelled.

6. As Petitioner's attempt to register the mark as shown in the Applications will be impaired by the continued registration of said abandoned mark of Respondent, and as Petitioner believes that Respondent has abandoned the mark shown in U.S. Registration No. 1,283,344, said registration should be canceled.

WHEREFORE, Petitioner prays that U.S. Registration No. 1,283,344 be canceled and that this Petition for Cancellation be sustained in favor of Petitioner.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: October 16, 2008

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

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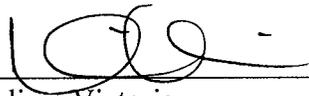
5239872mnv050508

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing Petition for Cancellation upon Registrant, Registrant's counsel and Registrant's Domestic Representative by depositing one copy thereof in the United States Mail, via air-mail and first-class postage prepaid, respectively, on October 16, 2008, addressed as follows:

Rene Mancini  
20 rue du Boccador  
Paris 75008  
France

Meyer A. Gross  
Schweitzer Cornman Gross, et al.  
292 Madison Ave., 19th Fl.  
New York, NY 10017

  
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Melissa Victoria  
Trademark Paralegal

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