

ESTTA Tracking number: **ESTTA249629**

Filing date: **11/18/2008**

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	Mr. Patrick Klos		
Entity	Individual	Citizenship	UNITED STATES
Address	18 Farmhouse Rd. Bedford, NH 03110 UNITED STATES		

Correspondence information	Mr. Patrick Klos 18 Farmhouse Rd. Bedford, NH 03110 UNITED STATES patrick@klos.com Phone:603 714 0195
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Registration Subject to Cancellation

Registration No	3377588	Registration date	02/05/2008
Registrant	Willis, Taun 25642 W. Dunlap Road Buckeye, AZ 85326 UNITED STATES		

Goods/Services Subject to Cancellation

Class 009. First Use: 2005/02/22 First Use In Commerce: 2005/03/01 All goods and services in the class are cancelled, namely: Computer software for use in online fraud protection

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
Other	I have used a similar mark, phishcop.net, on the internet prior to the applicant's first use, as indicated on his application, of his mark phishcops. Applicant is claiming that my use of phishcop.net is confusing and demanding that I cease using it. Since my use predates his use, and he admits the confusion, I believe that his trademark should be invalidated since I used the mark first.

Mark Cited by Petitioner as Basis for Cancellation

U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
Word Mark	phishcop
Goods/Services	Internet services

Attachments	Phishcop.txt (1 page)(453 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	/Patrick Klos/
Name	Mr. Patrick Klos
Date	11/18/2008

I have used similar mark, phishcop, on the internet prior to the applicant's first use, as indicated on his application, of his mark phishcops. The applicant is claiming that my use of phishcop.net is confusing and is demanding that I cease using it. Since it is a matter of public record that my use predates his use, and he admits the confusion, I believe that his trademark should be cancelled since I used the mark first.

Patrick Klos