

ESTTA Tracking number: **ESTTA271769**

Filing date: **03/12/2009**

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	The Putnam County News & Recorder, LLC		
Entity	limited liability company	Citizenship	New York
Address	86 Main Street Cold Spring, NY 10516 UNITED STATES		

Attorney information	Timothy J. Lyden Hogan & Hartson L.L.P. 8300 Greensboro Drive, Suite 1100 Box Intellectual Property McLean, VA 22102 UNITED STATES boxip@hhlaw.com Phone:703-610-6100
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Registration Subject to Cancellation

Registration No	3215059	Registration date	03/06/2007
Registrant	Taconic Acquisition LLC 50 West State Street Trenton, NJ 086081298 UNITED STATES		

Goods/Services Subject to Cancellation

Class 016. First Use: 1999/10/00 First Use In Commerce: 1999/10/00 All goods and services in the class are cancelled, namely: Newspapers

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	DOC313.PDF (5 pages)(116780 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	/Timothy J. Lyden/
Name	Timothy J. Lyden
Date	03/12/2009

2. On October 4, 2005, Registrant filed an application to register the mark “PUTNAM COUNTY COURIER” (the “Mark”) under Section 1(a) of the Lanham Act, 15 U.S.C. § 1051(a). Registrant obtained U.S. Registration No. 3215059, which issued on March 6, 2007, for the phrase “PUTNAM COUNTY COURIER” used on “newspapers” in International Class 016. Registrant claimed that it first began using the Mark in approximately 1999.

3. Upon information and belief, Taconic no longer uses the Mark PUTNAM COUNTY COURIER in connection with a newspaper, and has not used the Mark in commerce in the United States in connection with the goods recited in Registration No. 3215059 since February 12, 2009, when it discontinued use of the Mark with no intent to resume said use.

4. Upon information and belief, Taconic has no intent to use the PUTNAM COUNTY COURIER Mark in connection with the goods recited in Registration No. 3215059.

5. Upon information and belief, Taconic intends not to resume bona fide use of the PUTNAM COUNTY COURIER Mark in connection with the goods recited in Registration No. 3215059.

6. Upon information and belief, Taconic abandoned the Mark by discontinuing use of the Mark in connection with a newspaper on February 12, 2009 with no intent to resume said use.

7. Petitioner has a bona-fide intent to use the mark “THE PUTNAM COUNTY NEWS & COURIER” in connection with a newspaper.

8. Petitioner has filed an application for registration of the mark “THE PUTNAM COUNTY NEWS & COURIER” under Section 1(b) of the Lanham Act, 15 U.S.C. § 1051(b), in International Class 016 for a general circulation newspaper. Petitioner’s application is pending as Serial No. 77/689,463.

9. The continued existence of Registrant’s Registration for the Mark creates a cloud on Petitioner’s right to adopt and use the mark “THE PUTNAM COUNTY NEWS & COURIER” in that the Registration covers the same or a similar mark for the same goods. Upon information and belief, Petitioner’s application for registration of the mark, “THE PUTNAM COUNTY NEWS & COURIER,” pending as Serial No. 77/689,463, may be rejected by the United States Patent and Trademark Office on the basis of the Registration on the ground that, under Section 2(d) of the Trademark Act, 15 U.S.C. § 1052(d), Petitioner’s mark so resembles the Mark shown in the Registration as to be likely to cause confusion, or to cause mistake, or to deceive.

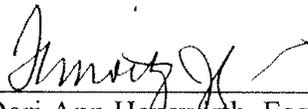
10. For all of the foregoing reasons, the continued existence of Registrant’s Registration impedes Petitioner’s use of the mark “THE PUTNAM COUNTY NEWS & COURIER,” which is subject of Application Serial No. 77/689,463, in that it impairs Petitioner’s legal adoption and use of said mark. Registrant’s continued registration of the “PUTNAM COUNTY COURIER” Mark therefore causes or will cause damage and injury to Petitioner and creates or will create confusion among members of the consuming public.

WHEREFORE, Petitioner prays that Registration No. 3215059 be cancelled and this Petition to Cancel be sustained in favor of Petitioner, pursuant to 15 U.S.C. § 1064(3), because the mark has been abandoned by Registrant.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Dated: March 12, 2009

By: 
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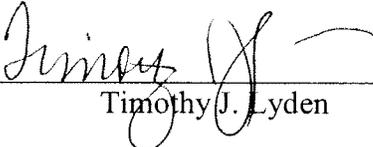
*Attorneys for The Putnam County
News & Recorder, LLC*

CERTIFICATE OF MAILING AND SERVICE

I certify that on March 12, 2009, I served, via first-class United States mail, a true and correct copy of the foregoing Petition to Cancel on the attorney of record for Registrant Taconic Acquisition LLC at the following address:

Bart A. Lazar
Seyfarth Shaw LLP
131 S. Dearborn Street, Suite 2400
Chicago, Illinois 60603-5577

Dated: March 12, 2009
McLean, VA



Timothy J. Lyden