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Filing date: **08/12/2009**

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	Thales Communications, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	22605 Gateway Center Drive Clarksburg, MD 20871 UNITED STATES		

Attorney information	Anthony V. Lupo Arent Fox LLP 1050 Connecticut Avenue, NW Washington, DC 20036 UNITED STATES lupo.anthony@arentfox.com, mills.matthew@arentfox.com, hackler.ellen@arentfox.com, tmdocket@arentfox.com Phone:202-857-6353
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Registration Subject to Cancellation

Registration No	2815366	Registration date	02/17/2004
Registrant	RADEUM, INC. 266 W. CENTER STREET OREM, UT 84057 UNITED STATES		

Goods/Services Subject to Cancellation

<p>Class 009. First Use: 2001/02/00 First Use In Commerce: 2001/10/00 All goods and services in the class are cancelled, namely: Communication devices, namely, telephones and telephone accessories, namely, headsets, earphones, telephone speakers, telephone microphones, and data transfer devices and controllers, namely, electronic circuit boards that facilitate and control the transfer of data information; Computers, radios, headphones; wireless communication devices, namely, personal digital assistants and mobile phones; telematic devices, namely, audio speakers, audio microphones, and wireless headsets and wireless electronic equipment, namely, electronic circuits that support a logical connection including a wireless link, all designed for use in automobiles, buses, planes, trains and other transportation vehicles; electronic devices, namely keyboards, mice and accessories that communicate with computers, namely, electronic circuit boards and microchips, headsets, microphones, printers, portable computers, personal digital assistants; electronic circuit boards coupled to transducers that maintain a wireless communication link regardless of orientation; electronic circuitry that modulates a digital or analog signal onto a carrier frequency to transmit and receive information; transceivers, and electronic circuit boards that transmit and receive via an electromagnetic field; remote controllers, namely, electronic circuit boards that wirelessly communicate command and control information; audio headsets, MP3/music players, stereo headsets; and electronic circuits, namely, integrated circuits, microchips, semiconductors, semiconductor chips, and semiconductor devices for transmission of voice, data or audio information</p>
<p>Class 010. First Use: 2002/10/00 First Use In Commerce: 2003/01/00 All goods and services in the class are cancelled, namely: Personal medical devices, namely,</p>

electronic circuit boards that are attached to or implanted within an animal or person to communicate biometric information via a wireless link

Grounds for Cancellation

Abandonment

Trademark Act section 14

Attachments

Petition for Cancellation.pdf (4 pages)(84825 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	/ Anthony V. Lupo /
Name	Anthony V. Lupo
Date	08/12/2009

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

In re Registration No. 2,815,366 for the mark LIBERTYLINK, registered on February 17, 2004

THALES COMMUNICATIONS, INC.	:	
	:	
Petitioner,	:	
	:	
v.	:	Canc. No. _____
	:	
RADEUM, INC	:	
	:	
Registrant.	:	

PETITION FOR CANCELLATION

Petitioner Thales Communications, Inc. (hereinafter “Petitioner”), a corporation of Delaware, having a principal business address of 22605 Gateway Center Drive, Clarksburg, Maryland 20871, believes that it will be damaged by Registration No. 2,815,366 and hereby petitions to cancel said registration under the provisions of Section 14 of the Trademark Act of 1946, 15 U.S.C. § 1064.

As grounds for cancellation, it is alleged that:

1. Petitioner is seeking to use and register, and has recently filed an application for registration for the mark LIBERTY. (U.S. Application Ser. No. 77/367,532), in connection with “government and military hand held radio transceivers for communication of voice and data, and structural parts therefor,” in International Class 9 (“Petitioner’s Mark”).

2. Registrant is the owner of Registration No. 2,815,366 in the United States Patent and Trademark Office for the mark LIBERTYLINK (“Registrant’s Mark”) in Classes 9 and 10.

3. Registration of Petitioner’s Mark was refused under Section 2(d) of the Trademark Act on the ground that Petitioner’s Mark is allegedly confusingly similar to the Registrant’s Mark.

3. Upon information and belief, Registrant has not used the mark LIBERTYLINK, which is the subject of Registration No. 2,815,366, for more than 3 years, constituting prima facie evidence of abandonment, and has discontinued all use of said mark with an intent not to resume such use.

4. Upon information and belief, Registrant has abandoned any rights it ever had in the mark LIBERTYLINK through non-use and through a course of conduct that caused the mark to lose any distinctiveness it ever had as an indicator of the origin of Registrant’s services.

5. By reason of the foregoing, Petitioner will be damaged by the continued existence of Registration No. 2,815,366 and Petitioner therefore requests that said registration be cancelled.

WHEREFORE, Petitioner requests that its petition be granted and that Registration No. 2,815,366 be cancelled in its entirety.

THALES COMMUNICATIONS, INC.

By:  _____

Anthony V. Lupo
Matthew R. Mills
ARENT FOX PLLC
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 857-6000

Date: August 12, 2009

Attorneys for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Petition for Cancellation is being served on August 12, 2009 upon Registrant/Owner of Record and the Attorney of Record via first-class mail, postage prepaid, at the following addresses:

Radium, Inc.
266 W. Center Street
Orem, UT 84057

Radium, Inc.
c/o John L. Dupre
Hamilton Brook Smith & Reynolds P C
530 Virginia Road
P.O. Box 9133
Concord, MA 01742-9133

By: 
Matthew R. Mills