

ESTTA Tracking number: **ESTTA352831**

Filing date: **06/14/2010**

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	Infragas S.R.L.		
Entity	Corporation	Citizenship	Italy
Address	Via Lavoresco, 10 Caselle (TO), 10072 ITALY		

Attorney information	John Alunit Patel & Alunit, PC 16830 Ventura Blvd., Suite 360 Encino, CA 91436 UNITED STATES jalunit@patelalunit.com Phone:818-380-1900
----------------------	--

Registration Subject to Cancellation

Registration No	2847146	Registration date	06/01/2004
International Registration No.	NONE	International Registration Date	NONE
Registrant	Infragas North America Inc. 8822 51st Avenue Edmonton, Alberta, T6E 5E8 CANADA		

Goods/Services Subject to Cancellation

Class 011. First Use: 1977/11/01 First Use In Commerce: 1977/11/01 All goods and services in the class are cancelled, namely: GAS AND ELECTRIC INFRARED EMITTERS FOR HEATING AND DRYING; CATALYTIC CONVERTERS FOR TREATMENT OF INTERNAL COMBUSTION EXHAUST GASES; INDUSTRIAL AND DOMESTIC COOKING OVENS; CATALYTIC HEATERS FOR HEATING AND DRYING, AND PARTS AND ACCESSORIES THEREFOR; INFRARED AND DIRECT FIRED INDUSTRIAL BURNERS
--

Grounds for Cancellation

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

Attachments	TTAB - Petition to Cancel - Infragas.pdf (12 pages)(251643 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	/john alunit/
Name	John Alunit
Date	06/14/2010

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

Infragas S.R.L.)	
)	
)	
Petitioner,)	Cancellation No. _____
)	
v.)	Registration No. 2847146
)	
Infragas North America Inc.)	
)	
Registrant.)	

PETITION TO CANCEL

Petitioner, Infragas S.R.L., a Società a Responsabilità Limitata (srl) of Italy, whose principal place of business is located at 500 Via Lavoresco, 10 10072 Caselle (TO), ITALY, hereby petitions to cancel registration number 2847146 (INFRAGAS), registered on June 1, 2004, under the name of Infragas North America Inc.

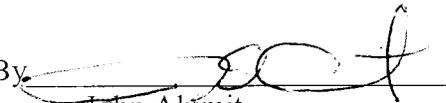
As grounds in support of its petition to cancel, Petitioners assert as follows:

ABANDONMENT

1. Applicant has filed a trademark application for the mark INFRAGAS and was assigned serial no. 77882258. On March 11, 2010, an office action refusal was issued based on a likelihood of confusion with registration no. 2847146 under the name of Infragas North America, Inc.

2. Infragas North America, Inc. was affiliated with Applicant, but was dissolved on June 30, 2007. As evidence of said dissolution, Applicant attaches as Exhibit 1, a declaration by the former legal representative of Infragas North America, Inc. attesting to the dissolution.
3. Infragas North America, Inc. had not assigned registration no. 2847146 to Applicant prior to its dissolution nearly three years ago, and has not assigned said registration to any third parties. As such, the mark depicted in registration no. 2847146 has been abandoned.

WHEREFORE, Petitioners prays that this cancellation be sustained under on the basis of abandonment and that registration no. 2847146 be cancelled so that it does not serve as a bar to the registration of Applicant's serial no. 77882258.

By: 

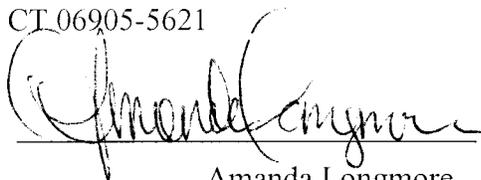
John Alunit
Patel & Alunit, PC
16830 Ventura Blvd.
Suite 360
(818) 380-1900 x376

Attorney for Petitioner

PROOF OF SERVICE

I hereby certify that a true and complete copy of the foregoing **PETITION FOR CANCELLATION** has been served on Gene S. Winter, Esq., Attorney of Record for Registrant on June ____, 2010, via First Class U.S. Mail, postage prepaid to:

GENE S. WINTER
ST ONGE STEWARD JOHNSTON & REENS LLC
986 BEDFORD ST
STAMFORD CT 06905-5621

A handwritten signature in black ink, appearing to read "Amanda Longmore", written over a horizontal line.

Amanda Longmore



Caselle T.se, 04/06/2010

Object: DECLARATION – INFRAGAS NORTH AMERICA INC. DISSOLUTION

We hereby declare that the company INFRAGAS NORTH AMERICA INC. was dissolved on June 30, 2007, as specified in the attached documents.

Therefore, the marks INFRAGAS, INFRACAT and BOOSTERCAT, that were owned by the Infragas North America, are available for the relevant registration in U.S.A. by "Infragas srl".

The present document is signed by Mr.Danilo Fassio, previous Legal Representative of "Infragas North America Inc." and now Legal Representative and Managing Director of "Infragas srl", and by Mr.Ivan Verzella, Legal Representative and Sales Manager of "Infragas srl".

Best regards,

Danilo Fassio

Ivan Verzella

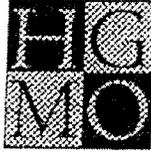
Managing Director "Infragas srl"

Sales Manager "Infragas srl"

infragas

infragas





Hendrickson · Gower · Massing · Olivieri
Responsible Lawyers. Real People. Practical Solutions.

Your File:
Our File: 1483

Mark M. Olivieri
Direct Line: (780) 426-2049, Ext.214
e-mail: m.olivieri@hgmolaw.com

Gale P. Johnson, Paralegal - Corporate Services
Direct Line: (780) 426-2049, Ext.269
e-mail: gale@hgmolaw.com

June 14, 2007

Infragas North America Inc.
Via Lavoresco
10, 10072 Caselle
Torinese, Italy

Attention: **Paolo and Danilo Fassio**

Dear Sirs:

**RE: INFRAGAS NORTH AMERICA INC. (the "Corporation")
Dissolution of Corporation on June 30, 2007**

We confirm your instructions that you wish to dissolve the Corporation on June 30, 2007. We also confirm your instructions that as at June 30, 2007 the Corporation will have no property and no liabilities.

In this regard, we have prepared documents **to be signed and returned to our offices by e-mail or fax prior to June 29, 2007**. The originally signed copies can then be forwarded to our offices by regular mail. Accordingly, the documents are enclosed as follows:

1. Dissolution – Pre-Registration Confirmation Report.

Please note that Danilo Fassio has been appointed as the Record Keeper of the Corporation and is required to maintain the Minute Book for a period of six (6) years from the date of dissolution. We will forward those records to you once the Corporation has been dissolved; and

2. Special Resolution in Writing of the sole Shareholder.

Once we receive the signed documents back from you we will proceed with the dissolution of the Corporation on June 30, 2007.

Page #2

We trust that you will find the foregoing to be in order. However, should you have any questions or concerns, please do not hesitate to call us.

Yours truly,

HENDRICKSON GOWER MASSING OLIVIERI LLP

Per: 

Mark M. Olivieri

/gj

Dissolution - Pre-Registration Confirmation Report

Service Request Number: 10210993
Corporate Access Number: 208947002
Legal Entity Name: INFRAGAS NORTH AMERICA INC.
French Equivalent Name:
Legal Entity Status: Active
No Shares Issued, No Property or Liabilities:
No Property and Liabilities: Y
Liabilities:
Future Dating Required: Y
Dissolution Date: 2007/06/30

Directors / Shareholders / Record Keepers

Status: Inactive
Director / Shareholder / Record Keeper Type: Director
Individual / Legal Entity Type: Individual
Corporate Access Number:
Last Name / Legal Entity Name: HOWIE
First Name: PETER
Middle Name:
Street / Box Number: 11113 - 29A AVENUE
City: EDMONTON
Province: ALBERTA
Postal Code: T6J 3Z4
Country:
Appointment Date: 2000/08/28
Cessation Date: 2004/07/28
Percent of Voting Shares: I confirm that the information set out in this document accurately reflects my instructions.
Resident Canadian: Y
Letter - Spelling Error:  Jun 21, 2007
Signature Date
Status: Active
Director / Shareholder / Record Keeper Type: Shareholder
Individual / Legal Entity Type: Other
Corporate Access Number:
Last Name / Legal Entity Name: INFRAGAS S.P.A.
First Name:
Middle Name:
Street / Box Number: VIA LAVORESCO, 10, 10072 CASELLE
City: TORINESE

Province:
Postal Code:
Country: ITALY
Appointment Date:
Cessation Date:
Percent of Voting Shares: 100
Resident Canadian:
Letter - Spelling Error:

Status: Inactive
Director / Shareholder / Record Keeper Type: Shareholder
Individual / Legal Entity Type: Other
Corporate Access Number:
Last Name / Legal Entity Name: SIMEST S.P.A.
First Name:
Middle Name:
Street / Box Number: 323 - 00186
City: ROMA
Province:
Postal Code:
Country: ITALY
Appointment Date:
Cessation Date:
Percent of Voting Shares: 25
Resident Canadian:
Letter - Spelling Error:

Status: Active
Director / Shareholder / Record Keeper Type: Director
Individual / Legal Entity Type: Individual
Corporate Access Number:
Last Name / Legal Entity Name: MATERA
First Name: TONY
Middle Name:
Street / Box Number: 14303 - 116 AVENUE
City: EDMONTON
Province: ALBERTA
Postal Code: T5M 4G2
Country:
Appointment Date: 2006/01/01
Cessation Date:
Percent of Voting Shares:

Resident Canadian: Y
Letter - Spelling Error:

Status: Active
Director / Shareholder / Record Keeper Type: Director
Individual / Legal Entity Type: Individual
Corporate Access Number:
Last Name / Legal Entity Name: FASSIO
First Name: DANILO
Middle Name:
Street / Box Number: VIA LAVORESCO, 10, 10072 CASELLE
City: TORINESE
Province:
Postal Code:
Country: ITALY
Appointment Date: 2006/01/01
Cessation Date:
Percent of Voting Shares:
Resident Canadian:
Letter - Spelling Error:

Status: Active
Director / Shareholder / Record Keeper Type: Director
Individual / Legal Entity Type: Individual
Corporate Access Number:
Last Name / Legal Entity Name: FASSIO
First Name: PAOLO
Middle Name:
Street / Box Number: VIA LAVORESCO, 10, 10072 CASELLE
City: TORINESE
Province:
Postal Code:
Country: ITALY
Appointment Date: 2006/01/01
Cessation Date:
Percent of Voting Shares:
Resident Canadian:
Letter - Spelling Error:

Status: Active
Director / Shareholder / Record Keeper Type: Record Keeper
Individual / Legal Entity Type: Individual

Corporate Access Number:
Last Name / Legal Entity Name: FASSIO
First Name: DANILO
Middle Name:
Street / Box Number: VIA LAVORESCO, 10, 10072 CASSELLE
City: TORINESE
Province:
Postal Code:
Country: ITALY
Appointment Date: 2007/06/14
Cessation Date:
Percent of Voting Shares:
Resident Canadian:
Letter - Spelling Error:

Attachment

Attachment Type	Microfilm Bar Code	Date Recorded
Share Structure	ELECTRONIC	2000/08/28
Restrictions on Share Transfers	ELECTRONIC	2000/08/28
Other Rules or Provisions	ELECTRONIC	2000/08/28

Registration Authorized By: MARK M. OLIVIERI
SOLICITOR

File: 1483

SPECIAL RESOLUTION IN WRITING OF THE SOLE SHAREHOLDER OF INFRAGAS NORTH AMERICA INC. (the "Corporation") PASSED EFFECTIVE THIS 30th DAY OF JUNE, 2007, AS EVIDENCED BY THE SIGNATURE OF THE SOLE SHAREHOLDER OF THE CORPORATION, AFFIXED HERETO IN LIEU OF MEETING.

WHEREAS the Corporation has no assets and no liabilities at the present time.

AND WHEREAS the sole Shareholder of the Corporation wishes to wind-up the affairs of the Corporation.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. THAT the Corporation, having no property and no liabilities be dissolved pursuant to Section 211(2) of the *Business Corporations Act (Alberta)*.
2. THAT the Corporation's solicitors be authorized and directed to execute Articles of Dissolution and file the same with the Registrar of Corporations effective immediately.
3. This resolution may be signed in facsimile or email/pdf format signatures and in any number of counterparts, each of which will be deemed to be an original and all of which taken together, will be deemed to constitute one resolution.

The undersigned, being the sole Shareholder of the Corporation, does hereby consent to and approve of the foregoing Special Resolutions, as witnessed by the signature of its authorized officers hereto.

INFRAGAS S.P.A., by its authorized signatory:

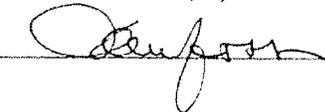
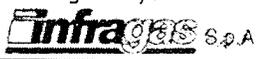


Via Livorno 10 - 10072 CASELLE (TO)

EXHIBIT 1