

ESTTA Tracking number: **ESTTA359537**

Filing date: **07/22/2010**

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	STC Footwear Inc.		
Entity	Corporation	Citizenship	Canada
Address	10100, Colbert Street Anjou, QC H1J 2J8 CANADA		

Attorney information	James R Menker Holley & Menker, P.A. PO Box 331937 Atlantic Beach, FL 32233 UNITED STATES eastdocket@holleymenker.com Phone:9042472620		
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Registration Subject to Cancellation

Registration No	3170432	Registration date	11/14/2006
International Registration No.	NONE	International Registration Date	NONE
Registrant	Bacou-Dalloz Protective Apparel Ltd./ Bacou-Dalloz Vetements de Protection Ltee 4200 St. Laurent Blvd., 6th Floor Montreal, Quebec, H2W 2R2 CANADA		

Goods/Services Subject to Cancellation

Class 009. All goods and services in the class are cancelled, namely: Safety footwear and protective industrial footwear, namely shoes, boots, and fall protection harnesses
Class 025. All goods and services in the class are cancelled, namely: Workshoes and workboots, straps for shoes and boots, shoe and boot inserts for non-orthopedic purposes; protective metal shields for shoes and boots

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	20100722 Petition to Cancel 3170432 - PIERCE-PROTECT ARCH PROTECTIVE SYSTEM (2).doc.pdf (3 pages)(146650 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	/jmenker/
Name	James R Menker
Date	07/22/2010

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

STC Footwear Inc.)	
)	
Petitioner,)	
)	Cancellation No. _____
v.)	
)	Reg. No. 3170432
Bacou-Dalloz Protective Apparel Ltd./)	
Bacou-Dalloz Vetements de Protection Ltee,)	
)	
Registrant.)	
)	

PETITION TO CANCEL

STC Footwear Inc. (hereinafter "Petitioner"), a Canadian corporation with an address at 10100, Colbert Street, Anjou, Quebec, Canada, H1J 2J8, is or will be damaged by the continued registration of the mark PIERCE-PROTECT ARCH PROTECTIVE SYSTEM, which is set forth in Reg. No. 3170432 and owned by Bacou-Dalloz Protective Apparel Ltd./Bacou-Dalloz Vetements de Protection Ltee (hereinafter "Registrant"), and hereby requests the cancellation of the same.

As grounds for cancellation, Petitioner, by its attorneys, avers as follows:

1. On November 14, 2006, the United States Patent and Trademark Office issued Reg. No. 3170432.
2. On information and belief, Registrant, through intentional nonuse, has abandoned the mark set forth in Reg. No. 3170432.
3. Any goodwill that may have been associated with the mark set forth in 3170432

has been destroyed by Registrant's intentional abandonment and nonuse of the mark in commerce.

4. Petitioner is or will be damaged by the existence of this registration. Specifically, Petitioner is using the registered mark in connection with same or related goods and intends to file an application to register this mark.

WHEREFORE, Petitioner respectfully requests that Reg. No. 3170432 be cancelled. The required filing fee is submitted herewith.

Respectfully submitted,

STC Footwear Inc.

By: /jmenker/
James R. Menker

Petitioner's Attorneys
Holley & Menker, P.A.
P.O. Box 331537
Atlantic Beach, FL 32233
(904) 247-2620

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing "PETITION TO CANCEL" was served on Registrant's attorney, Charles M. Marmelstein of ARENT FOX PLLC with an address at 1050 Connecticut Avenue, Suite 400, Washington, D. C. 20036-5339, via first class mail, postage prepaid, today **July 22, 2010**.

By: 

Laura K. Greer