

ESTTA Tracking number: **ESTTA373345**

Filing date: **10/14/2010**

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	TV Guide Magazine, LLC		
Entity	Limited Liability Company	Citizenship	Delaware
Address	11 W 42nd St. New York, NY 10036 UNITED STATES		

Attorney information	Jordan A. LaVine Flaster/Greenberg P.C. 1600 JFK Blvd. 2nd Floor Philadelphia, PA 19103 UNITED STATES jordan.lavine@flastergreenberg.com Phone:215.279.9389		
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**Registration Subject to Cancellation**

Registration No	3396170	Registration date	03/11/2008
Registrant	Sports TV Insider, LLC 41916 Creek Bend Place Leesburg, VA 20175 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 041. First Use: 2006/06/30 First Use In Commerce: 2006/06/30 All goods and services in the class are cancelled, namely: Entertainment services, namely, providing interactive and customized broadcast and Internet program listings and guides
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**Grounds for Cancellation**

Abandonment	Trademark Act section 14
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Attachments	sportstvinsiderpetition.pdf ( 4 pages )(16773 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	/jordan lavine/
Name	Jordan A. LaVine
Date	10/14/2010



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

TV GUIDE MAGAZINE, LLC	:	
	:	
Petitioner,	:	
	:	
	:	Cancellation No.
v.	:	
	:	
SPORTS TV INSIDER, LLC	:	
	:	
Respondent.	:	

PETITION FOR CANCELLATION

In the matter of Trademark Registration No. 3,396,170, issued March 11, 2008, for the mark *Sports TV Insider*:

TV Guide Magazine, LLC (“TV Guide Magazine”), a Delaware limited liability company having an address of 11 W 42nd St., New York, NY 10036, believes it will be damaged by the continued registration of the mark sought to be canceled and hereby petitions to cancel the registration of said trademark. The grounds for the Petition are as follows:

1. On May 19, 2010, TV Guide Magazine filed Application Serial Nos. 85042745 and 85042747 in the U.S. Patent and Trademark Office to register the marks *TV Insider* and *TV Insider (and Design)* for, *inter alia*, magazines and online publications in the fields of television, television programming, entertainment, public personalities, actors and celebrities based upon its bona fide intent to use the marks in commerce.

2. On information and belief, on March 11, 2008, Registration No. 3,396,170 for the trademark *Sports TV Insider* issued to Respondent, Sports TV Insider, LLC (“Respondent”), a California limited liability company having an address of 41916 Creek Bend Place, Leesburg,

Virginia 20175, for entertainment services, namely providing interactive and customized broadcast and Internet program listings and guides.

3. On information and belief, Respondent has abandoned the mark of Registration No. 3,396,170 through its non-use of the mark in the United States for the services identified in the certificate of registration and its intention not to resume use of the mark in commerce.

4. TV Guide Magazine's investigation of Respondent has not revealed any ongoing business of Respondent or use of the *Sports TV Insider* trademark, which had previously been used at the URL *www.sportstvinsider.com*.

5. Respondent's Registration No. 3,396,170 has been cited by the U.S. Patent and Trademark Office in the prosecution of TV Guide Magazine's Application Serial Nos. 85042745 and 85042747 as a bar to registration its *TV Insider* and *TV Insider (and Design)* trademarks.

6. TV Guide Magazine believes that said registration, if permitted to remain in force, will cause injury and damage to TV Guide Magazine in that it is cited as a bar to registration of TV Guide Magazine's marks.

7. TV Guide Magazine further believes that said registration, if permitted to remain in force, accords to Respondent the *prima facie* exclusive right to use the mark for the services identified in the certificate of registration, which *prima facie* right interferes with TV Guide Magazine's ability to register the *TV Insider* and *TV Insider (and Design)* marks, constituting a source of damage to TV Guide Magazine.



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

TV GUIDE MAGAZINE, LLC	:	
	:	
Petitioner,	:	
	:	
	:	Cancellation No.
v.	:	
	:	
SPORTS TV INSIDER, LLC	:	
	:	
Respondent	:	

**CERTIFICATE OF SERVICE**

I hereby certify that the attached Petition for Cancellation in the above-identified matter was served on this 14th of October 2010 via first class mail to the registrant of record for the registration sought to be cancelled:

SPORTS TV INSIDER, LLC  
41916 CREEK BEND PLACE  
LEESBURG, VIRGINIA 20175

s/Jordan A. LaVine/

Dated: October 14, 2010