

ESTTA Tracking number: **ESTTA398309**

Filing date: **03/16/2011**

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	Blacktop Omnimedia LLC		
Entity	limited liability company	Citizenship	Delaware
Address	P. O. Box 77086 Washington, DC 20013 UNITED STATES		

Attorney information	Shahrzad Poormosleh SUGHRUE MION PLLC 2100 Pennsylvania Avenue, N.W., Suite 800 Washington, DC 20037 UNITED STATES tm@sughrue.com, mwhite@sughrue.com, vmullineaux@sughrue.com, spoormosleh@sughrue.com Phone:202-293-7060		
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Registration Subject to Cancellation

Registration No	3736556	Registration date	01/12/2010
Registrant	Gieser, Brenton P.O. Box 1828 El Granada, CA 94018 UNITED STATES		

Goods/Services Subject to Cancellation

Class 042. First Use: 2008/09/00 First Use In Commerce: 2008/12/00 All goods and services in the class are cancelled, namely: Creating an on-line community for recreational athletes for the purpose of connecting players, teams and leagues and organizing game and sports activities

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	S14020 - Petition to Cancel.pdf (3 pages)(88240 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	/Shahrzad Poormosleh/
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Name	Shahrazad Poormosleh
Date	03/16/2011

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

Blacktop Omnimedia LLC,)	
)	
Petitioner,)	
)	Cancellation No. _____
v.)	
)	
Brenton Gieser,)	
)	
Registrant)	

Registration No. 3736556
Mark: BLACKTOP HOOPS

PETITION FOR CANCELLATION

Blacktop Omnimedia LLC (“Petitioner”), a Delaware limited liability company with a business address of P.O. Box 77086, Washington DC 20013 hereby petitions to cancel Registration No. 3736556 for the mark BLACKTOP HOOPS. As grounds in support of the Petition for Cancellation, Petitioner alleges as follows:

1. Petitioner, Blacktop Omnimedia LLC is a limited liability company organized under the laws of Delaware with a business address at P.O. Box 77086, Washington DC 20013.

2. Petitioner is the owner of U.S. Trademark Registration No. 3921634, issued February 22, 2011 for the mark BLACKTOP OMNIMEDIA for news agency services, namely, gathering and dissemination of news in the field of sports and entertainment, in Class 41. This registration is valid, subsisting, un-revoked and un-cancelled.

3. Petitioner is also the owner of pending Application Serial No. 77/775,688 for the mark BLACKTOP TV & Design for services described as “news agency services, namely, gathering and dissemination of news in the fields of sports.” This application was filed on July 7, 2009.

4. Petitioner's pending Application Serial No. 77/775,688 has been refused registration under Section 2(d) of the Trademark Act in view of the existence of Respondent's Registration No. 3736556 for the mark BLACKTOP HOOPS for services described as "creating an on-line community for recreational athletes for the purpose of connecting players, teams and leagues and organizing game and sports activities" in Class 42. .

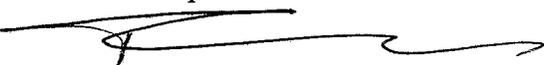
5. On information and belief, Respondent has abandoned the mark covered by Registration No. 3736556. Respondent is not using its BLACKTOP HOOPS mark in commerce on or in connection with any of the services covered in the registration; and, on information and belief, has no intention to resume any such use.

WHEREFORE, it is respectfully requested that the Petition for Cancellation be granted and that Registration No. 3736556 be cancelled in due course.

Applicant has paid the required \$300 filing fee for the one class contained in the petitioned Registration No. 3736556. Please charge any deficiency or credit any overpayment to the undersigned's Deposit Account No. 19-4880.

Respectfully submitted,

Blacktop Omnimedia LLC



By:

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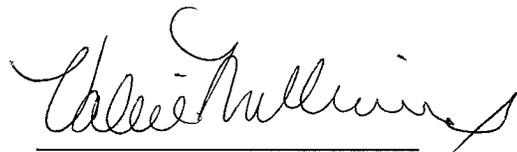
CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing PETITION FOR CANCELLATION has been mailed this 16th day of March 2011 on Respondent and Respondent's attorney as set forth in the Patent and Trademark Office's TARR database, by first-class mail, postage prepaid to:

Brenton Gieser
P.O. Box 1828
El Granada, CA 94018

And

Josh Gerben, Esq.
Gerben Law Firm PLLC
1615 L Street NW, Suite 650
Washington DC 20036



Valerie Mullineaux