

ESTTA Tracking number: **ESTTA410267**

Filing date: **05/20/2011**

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	salesforce.com, inc.		
Entity	Corporation	Citizenship	Delaware
Address	The Landmark @ One Market, Suite 300 San Francisco, CA 94105 UNITED STATES		

Attorney information	Alica Del Valle Owen, Wickersham & Erickson, PC 455 Market Street, 19th Floor San Francisco, CA 94118 UNITED STATES adelvalle@owe.com, ncook@owe.com, bdunne@owe.com Phone:415-882-3200		
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Registration Subject to Cancellation

Registration No	3898834	Registration date	01/04/2011
Registrant	Edataforce Consulting, LLC 545 E John Carpenter Freeway, Suite 300 Irving, TX 75062 UNITED STATES		

Goods/Services Subject to Cancellation

Class 042. First Use: 2009/09/29 First Use In Commerce: 2009/09/29
All goods and services in the class are cancelled, namely: Computer software development and computer programming development for others

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
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Related Proceedings	Opposition No. 91199539
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Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	2684824	Application Date	10/29/1999
Registration Date	02/04/2003	Foreign Priority Date	NONE
Word Mark	SALESFORCE.COM		

Design Mark	SALESFORCE.COM
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1999/09/27 First Use In Commerce: 1999/09/27 Providing temporary use of on-line non-downloadable software for storing, managing, tracking and analyzing data in the field of marketing, promotion, sales, customer information management, customer support services and employee efficiency; providing temporary use of on-line non-downloadable software to create statistical and management reports on marketing, promotion, sales, customer information management, customer support services and employee efficiency; providing temporary use of on-line non-downloadable multimedia computer program for communicating with peer professionals; computer services, namely, designing, implementing, and maintaining computer software for others; providing internal company computer networks; providing search engines for obtaining a wide variety of data on a global computer network

U.S. Registration No.	2964712	Application Date	02/10/2004
Registration Date	07/05/2005	Foreign Priority Date	NONE

Word Mark	SALESFORCE.COM
Design Mark	SALESFORCE.COM
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1999/09/27 First Use In Commerce: 1999/09/27 BUSINESS MANAGEMENT SERVICES, NAMELY, PROVIDING CUSTOMER RELATIONSHIP MANAGEMENT SERVICES AND SALES SUPPORT MANAGEMENT SERVICES; BUSINESS MANAGEMENT CONSULTING SERVICES RELATING TO CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT MANAGEMENT, AND MARKETING AUTOMATION; PROVIDING A WEBSITE WITH GENERAL INFORMATION OF INTEREST TO THE FIELDS OF ADVERTISING, MARKETING AND BUSINESS SERVICES Class 042. First use: First Use: 1999/09/27 First Use In Commerce: 1999/09/27 PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO STORE, MANAGE, TRACK, ANALYZE AND REPORT DATA IN THE FIELD OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT AND EMPLOYEE EFFICIENCY; PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO FACILITATE COMMUNICATING AMONG PEER PROFESSIONALS IN THE ADVERTISING, MARKETING AND BUSINESS SERVICES FIELDS

U.S. Registration No.	3592166	Application Date	07/30/2007
Registration Date	03/17/2009	Foreign Priority Date	NONE
Word Mark	FORCE.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2007/09/17 First Use In Commerce: 2007/09/17 Providing temporary use of online non-downloadable computer software application development tools; online hosted computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto		

U.S. Registration No.	3138749	Application Date	09/14/2005
Registration Date	09/05/2006	Foreign Priority Date	NONE
Word Mark	SALESFORCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2005/03/09 First Use In Commerce: 2005/03/09 downloadable software for use in web site development; downloadable software for use in computer e-commerce which allows users to perform electronic business transactions, communicate with other users, and access and exchange information via a global computer network; downloadable computer software for use in customizing computer application user interfaces		

U.S. Registration No.	3141697	Application Date	09/14/2005
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Registration Date	09/12/2006	Foreign Priority Date	NONE
Word Mark	SALESFORCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2005/03/09 First Use In Commerce: 2005/03/09 business management services, namely, providing customer relationship management services and sales support management services; business management consulting services relating to customer relationship management, sales support management, and marketing automation; providing a website with general information of interest to the fields of advertising, marketing and business services		

U.S. Registration No.	3164978	Application Date	09/14/2005
Registration Date	10/31/2006	Foreign Priority Date	NONE
Word Mark	SALESFORCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2005/03/09 First Use In Commerce: 2005/03/09 providing temporary use of on-line non-downloadable software to store, manage, track, analyze, and report data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the advertising, marketing and business services fields, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto		

U.S. Registration No.	3035403	Application Date	11/01/2004
Registration Date	12/27/2005	Foreign Priority Date	NONE
Word Mark	DREAMFORCE		
Design Mark	<p style="text-align: center;">DREAMFORCE</p>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2003/07/00 First Use In Commerce: 2003/07/00 educational services, namely, conducting seminars, conferences, workshops, and computer application training in the fields of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency, and distributing course materials in connection therewith		

U.S. Registration No.	3795483	Application Date	03/25/2009
Registration Date	06/01/2010	Foreign Priority Date	NONE
Word Mark	CLOUDFORCE		
Design Mark	<p style="text-align: center;">CLOUDFORCE</p>		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2008/12/08 First Use In Commerce: 2008/12/08 EDUCATIONAL SERVICES, NAMELY, CONDUCTING SEMINARS, CONFERENCES, WORKSHOPS, AND COMPUTER APPLICATION TRAINING IN THE FIELDS OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT AND EMPLOYEE EFFICIENCY, AND DISTRIBUTING COURSE MATERIALS IN CONNECTION THEREWITH		

U.S. Registration No.	3798299	Application Date	03/25/2009
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Registration Date	06/08/2010	Foreign Priority Date	NONE
Word Mark	CLOUDFORCE		
Design Mark			
Description of Mark	The mark consists of the word "CLOUDFORCE" in stylized letters.		
Goods/Services	Class 041. First use: First Use: 2008/12/08 First Use In Commerce: 2008/12/08 EDUCATIONAL SERVICES, NAMELY, CONDUCTING SEMINARS, CONFERENCES, WORKSHOPS, AND COMPUTER APPLICATION TRAINING IN THE FIELDS OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT AND EMPLOYEE EFFICIENCY, AND DISTRIBUTING COURSE MATERIALS IN CONNECTION THEREWITH		

U.S. Registration No.	3836879	Application Date	08/14/2009
Registration Date	08/24/2010	Foreign Priority Date	NONE
Word Mark	FINANCIALFORCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2009/09/30 First Use In Commerce: 2009/09/30 Providing temporary use of on-line non-downloadable software in the fields of accounting and billing; providing temporary use of on-line non-downloadable software to store, manage, track, analyze, and report data in the fields of accounting, accounting management and business management; providing temporary use of on-line non-downloadable software for the electronic interface between third party software applications that enables the exchange of data; providing temporary use of on-line non-downloadable software that allows customers to securely access their accounts to obtain proprietary accounting and business intelligence data; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in		

	the fields of accounting management and business management, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto
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U.S. Registration No.	3836878	Application Date	08/14/2009
Registration Date	08/24/2010	Foreign Priority Date	NONE

Word Mark	FINANCIALFORCE.COM
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Design Mark	 <p>The design mark consists of the text "FINANCIALFORCE.COM" in a bold, serif font, centered within a rectangular border.</p>
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Description of Mark	NONE
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Goods/Services	Class 042. First use: First Use: 2009/09/30 First Use In Commerce: 2009/09/30 Providing temporary use of on-line non-downloadable software in the fields of accounting and billing; providing temporary use of on-line non-downloadable software to store, manage, track, analyze, and report data in the fields of accounting, accounting management and business management; providing temporary use of on-line non-downloadable software for the electronic interface between third party software applications that enables the exchange of data; providing temporary use of on-line non-downloadable software that allows customers to securely access their accounts to obtain proprietary accounting and business intelligence data; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the fields of accounting management and business management, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto
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U.S. Application No.	85046219	Application Date	05/24/2010
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	FORCE
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Design Mark	<h1>FORCE</h1>
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Description of Mark	NONE
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Goods/Services	<p>Class 035. First use: First Use: 2003/09/00 First Use In Commerce: 2003/09/00 BUSINESS MANAGEMENT SERVICES, NAMELY, PROVIDING CUSTOMER RELATIONSHIP MANAGEMENT SERVICES, SALES SUPPORT MANAGEMENT SERVICES, BUSINESS INTELLIGENCE SERVICES, PERFORMANCE MANAGEMENT SERVICES, AND SOCIAL NETWORKING SERVICES FOR BUSINESSES; BUSINESS MANAGEMENT CONSULTING SERVICES RELATING TO CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT MANAGEMENT, MARKETING AUTOMATION, BUSINESS INTELLIGENCE, PERFORMANCE MANAGEMENT, AND SOCIAL NETWORKING FOR BUSINESSES; OPERATING ON-LINE MARKETPLACES FOR BUYING AND SELLING, SHARING, AND OFFERING FOR FREE COMPUTER SOFTWARE, ON-DEMAND APPLICATIONS, AND RELATED DEVELOPMENT TOOLS</p> <p>Class 042. First use: First Use: 2003/09/00 First Use In Commerce: 2003/09/00 PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO STORE, MANAGE, TRACK, ANALYZE AND REPORT DATA IN THE FIELDS OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT, AND EMPLOYEE EFFICIENCY; PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO FACILITATE COMMUNICATING AMONG PEER PROFESSIONALS IN THE ADVERTISING, MARKETING AND BUSINESS SERVICES FIELDS; PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE COMPUTER SOFTWARE APPLICATION DEVELOPMENT TOOLS; ONLINE HOSTED COMPUTER SERVICES, NAMELY, DESIGNING, DEVELOPING, AND MAINTAINING COMPUTER SOFTWARE APPLICATIONS FOR OTHERS AND CONSULTING SERVICES RELATED THERETO</p>
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U.S. Application No.	85273844	Application Date	03/22/2011
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Registration Date	NONE	Foreign Priority Date	NONE
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Word Mark	SALESFORCE.COM
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Design Mark	
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Description of Mark	The mark consists of the stylized word SALESFORCE.COM.
Goods/Services	<p>Class 009. First use: First Use: 2003/02/01 First Use In Commerce: 2003/02/01 DOWNLOADABLE COMPUTER SOFTWARE FOR USE IN DEVELOPING AND CUSTOMIZING COMPUTER SOFTWARE APPLICATIONS AND COMPUTER SOFTWARE APPLICATION USER INTERFACES; COMPUTER SOFTWARE FOR STORING, MANAGING, TRACKING, ANALYZING, AND REPORTING DATA IN THE FIELD OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT, AND EMPLOYEE EFFICIENCY; COMPUTER SOFTWARE TO FACILITATE COMMUNICATING AMONG PEER PROFESSIONALS IN THE ADVERTISING, MARKETING, AND BUSINESS SERVICES FIELDS, AND FOR CUSTOMIZING COMPUTER APPLICATION USER INTERFACES</p> <p>Class 035. First use: First Use: 2003/02/01 First Use In Commerce: 2003/02/01 BUSINESS MANAGEMENT SERVICES, NAMELY, PROVIDING INFORMATION, DATA ASSET, AND IDENTITY MANAGEMENT SERVICES; COMPILATION AND MANAGEMENT OF COMPUTERIZED DATABASES AND CONSULTING SERVICES RELATED THERETO; BUSINESS MANAGEMENT SERVICES, NAMELY, PROVIDING CUSTOMER RELATIONSHIP MANAGEMENT SERVICES AND SALES SUPPORT MANAGEMENT SERVICES; BUSINESS MANAGEMENT CONSULTING SERVICES RELATING TO CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT MANAGEMENT, AND MARKETING AUTOMATION; PROVIDING A WEBSITE WITH GENERAL INFORMATION OF INTEREST TO THE FIELDS OF ADVERTISING, MARKETING, AND BUSINESS MANAGEMENT CONSULTING AND ADVISORY SERVICES; OPERATING ONLINE MARKETPLACES FOR BUYING AND SELLING, SHARING, AND OFFERING FOR FREE COMPUTER SOFTWARE AND ON-DEMAND APPLICATIONS</p> <p>Class 041. First use: First Use: 2003/02/01 First Use In Commerce: 2003/02/01 EDUCATIONAL SERVICES, NAMELY, CONDUCTING SEMINARS, CONFERENCES, WORKSHOPS, AND COMPUTER APPLICATION TRAINING IN THE FIELDS OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT AND EMPLOYEE EFFICIENCY, AND DISTRIBUTING COURSE MATERIALS IN CONNECTION THEREWITH</p> <p>Class 042. First use: First Use: 2003/02/01 First Use In Commerce: 2003/02/01 PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO STORE, MANAGE, TRACK, ANALYZE, AND REPORT DATA IN THE FIELD OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT AND EMPLOYEE EFFICIENCY; PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO FACILITATE COMMUNICATING AMONG PEER PROFESSIONALS IN THE ADVERTISING, MARKETING AND BUSINESS SERVICES FIELDS, AND FOR CUSTOMIZING COMPUTER APPLICATION USER INTERFACES; COMPUTER SERVICES, NAMELY, DESIGNING, DEVELOPING, AND MAINTAINING COMPUTER SOFTWARE APPLICATIONS FOR OTHERS AND CONSULTING SERVICES RELATED THERETO; PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE COMPUTER SOFTWARE APPLICATION DEVELOPMENT TOOLS AND PROGRAMMING LANGUAGE FOR USE IN DEVELOPING, ANALYZING, CODING, CHECKING, AND CONTROLLING OTHER COMPUTER SOFTWARE; PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE COMPUTER SOFTWARE THAT IMPLEMENTS A PROCEDURAL AND OBJECT-ORIENTED PROGRAMMING LANGUAGE; ONLINE HOSTED COMPUTER SERVICES, NAMELY, DESIGNING, DEVELOPING, CUSTOMIZING, AND MAINTAINING COMPUTER SOFTWARE APPLICATIONS FOR OTHERS; AND CONSULTING SERVICES RELATED</p>

	THERETO Class 045. First use: First Use: 2003/02/01 First Use In Commerce: 2003/02/01 ON-LINE SOCIAL NETWORKING SERVICES
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U.S. Application No.	85273837	Application Date	03/22/2011
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	SALESFORCE SOFTWARE
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Design Mark	
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Description of Mark	The mark consists of the image of a cloud outlined in blue containing the word "salesforce" in black and gray lettering, and a white circle located on the lower right-hand side of the cloud, containing the word "software" in black lettering within a red prohibition symbol, meaning "no software".
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Goods/Services	<p>Class 009. First use: First Use: 2008/11/03 First Use In Commerce: 2008/11/03 DOWNLOADABLE COMPUTER SOFTWARE FOR USE IN DEVELOPING AND CUSTOMIZING COMPUTER SOFTWARE APPLICATIONS AND COMPUTER SOFTWARE APPLICATION USER INTERFACES; COMPUTER SOFTWARE FOR STORING, MANAGING, TRACKING, ANALYZING, AND REPORTING DATA IN THE FIELD OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT, AND EMPLOYEE EFFICIENCY; COMPUTER SOFTWARE TO FACILITATE COMMUNICATING AMONG PEER PROFESSIONALS IN THE ADVERTISING, MARKETING, AND BUSINESS SERVICES FIELDS, AND FOR CUSTOMIZING COMPUTER APPLICATION USER INTERFACES</p> <p>Class 035. First use: First Use: 2008/11/03 First Use In Commerce: 2008/11/03 BUSINESS MANAGEMENT SERVICES, NAMELY, PROVIDING INFORMATION, DATA ASSET, AND IDENTITY MANAGEMENT SERVICES; COMPILATION AND MANAGEMENT OF COMPUTERIZED DATABASES AND CONSULTING SERVICES RELATED THERETO; BUSINESS MANAGEMENT SERVICES, NAMELY, PROVIDING CUSTOMER RELATIONSHIP MANAGEMENT SERVICES AND SALES SUPPORT MANAGEMENT SERVICES; BUSINESS MANAGEMENT CONSULTING SERVICES RELATING TO CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT MANAGEMENT, AND MARKETING AUTOMATION; PROVIDING A WEBSITE WITH GENERAL INFORMATION OF INTEREST TO THE FIELDS OF ADVERTISING, MARKETING, AND BUSINESS MANAGEMENT CONSULTING AND ADVISORY SERVICES; OPERATING ONLINE MARKETPLACES FOR BUYING AND SELLING, SHARING, AND OFFERING FOR FREE COMPUTER SOFTWARE AND ON-DEMAND APPLICATIONS</p> <p>Class 041. First use: First Use: 2008/11/03 First Use In Commerce: 2008/11/03 EDUCATIONAL SERVICES, NAMELY, CONDUCTING SEMINARS, CONFERENCES, WORKSHOPS, AND COMPUTER APPLICATION TRAINING IN THE FIELDS OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES</p>
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	<p>SUPPORT AND EMPLOYEE EFFICIENCY, AND DISTRIBUTING COURSE MATERIALS IN CONNECTION THEREWITH</p> <p>Class 042. First use: First Use: 2008/11/03 First Use In Commerce: 2008/11/03 PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO STORE, MANAGE, TRACK, ANALYZE, AND REPORT DATA IN THE FIELD OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT AND EMPLOYEE EFFICIENCY; PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO FACILITATE COMMUNICATING AMONG PEER PROFESSIONALS IN THE ADVERTISING, MARKETING AND BUSINESS SERVICES FIELDS, AND FOR CUSTOMIZING COMPUTER APPLICATION USER INTERFACES; COMPUTER SERVICES, NAMELY, DESIGNING, DEVELOPING, AND MAINTAINING COMPUTER SOFTWARE APPLICATIONS FOR OTHERS AND CONSULTING SERVICES RELATED THERETO; PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE COMPUTER SOFTWARE APPLICATION DEVELOPMENT TOOLS AND PROGRAMMING LANGUAGE FOR USE IN DEVELOPING, ANALYZING, CODING, CHECKING, AND CONTROLLING OTHER COMPUTER SOFTWARE; PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE COMPUTER SOFTWARE THAT IMPLEMENTS A PROCEDURAL AND OBJECT-ORIENTED PROGRAMMING LANGUAGE; ONLINE HOSTED COMPUTER SERVICES, NAMELY, DESIGNING, DEVELOPING, CUSTOMIZING, AND MAINTAINING COMPUTER SOFTWARE APPLICATIONS FOR OTHERS; AND CONSULTING SERVICES RELATED THERETO</p> <p>Class 045. First use: First Use: 2008/11/03 First Use In Commerce: 2008/11/03 ON-LINE SOCIAL NETWORKING SERVICES</p>
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U.S. Application No.	85146763	Application Date	10/06/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	DEVELOPERFORCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 041. First use: First Use: 2008/01/17 First Use In Commerce: 2008/01/17 EDUCATIONAL SERVICES, NAMELY, PROVIDING ONLINE SEMINARS, ELECTRONIC TECHNICAL NOTES AND NEWSLETTERS, DISCUSSION BOARDS AND BLOGS IN THE FIELDS OF SOFTWARE APPLICATION DEVELOPMENT AND COMPUTER SYSTEM ARCHITECTURES</p> <p>Class 042. First use: First Use: 2008/01/17 First Use In Commerce: 2008/01/17 PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE COMPUTER SOFTWARE APPLICATION DEVELOPMENT TOOLS FOR THE DEVELOPMENT AND OPERATION OF SOFTWARE APPLICATIONS BY</p>		

	OTHERS; ONLINE HOSTED COMPUTER SERVICES, NAMELY, DESIGNING, DEVELOPING, AND MAINTAINING COMPUTER SOFTWARE APPLICATIONS FOR OTHERS AND CONSULTING SERVICES RELATED THERETO; PROVIDING A WEBSITE WITH GENERAL INFORMATION OF INTEREST TO THE FIELDS OF COMPUTER SOFTWARE APPLICATION DEVELOPMENT AND COMPUTER SYSTEM ARCHITECTURES; COMPUTER SERVICES, NAMELY, THE CREATION AND MANAGEMENT OF ONLINE COMMUNITIES THAT ALLOW PARTICIPANTS TO SHARE INFORMATION VIA A GLOBAL COMPUTER NETWORK
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U.S. Application No.	85166166	Application Date	11/01/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	VISUALFORCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 2007/09/17 First Use In Commerce: 2007/09/17 providing temporary use of online non-downloadable computer software application development tools for use in developing, analyzing, coding, checking and controlling computer application user interfaces; online hosted computer services, namely, designing, developing, customizing and maintaining computer application user interfaces for others and consulting services related thereto		

U.S. Application No.	85189612	Application Date	12/02/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	ISVFORCE		
Design Mark			
Description of Mark	NONE		

Goods/Services	<p>Class 009. First use: Downloadable computer software for use in developing and customizing computer software applications and computer software application user interfaces; computer software for storing, managing, tracking, analyzing, and reporting data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support, and employee efficiency; computer software to facilitate communicating among peer professionals in the advertising, marketing, and business services fields, and for customizing computer application user interfaces</p> <p>Class 035. First use: Business management services, namely, providing information, data asset, and identity management services; compilation and management of computerized databases and consulting services related thereto; Business management services, namely, providing customer relationship management services and sales support management services; business management consulting services relating to customer relationship management, sales support management, and marketing automation; providing a website featuring information in the fields of advertising, marketing and business management and consulting services related thereto; operating online marketplaces for buying and selling, sharing, and offering for free computer software and on-demand applications</p> <p>Class 042. First use: Providing temporary use of on-line non-downloadable software to store, manage, track, analyze, and report data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the advertising, marketing and business services fields, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto; Providing temporary use of online non-downloadable computer software application development tools and programming language for use in developing, analyzing, coding, checking, and controlling other computer software; providing temporary use of online non-downloadable computer software that implements a procedural and object-oriented programming language; online hosted computer services, namely, designing, developing, customizing, and maintaining computer software applications for others and consulting services related thereto</p> <p>Class 045. First use: On-line social networking services</p>
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U.S. Application No.	85140258	Application Date	09/28/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SITEFORCE		

Design Mark	<h1>SITEFORCE</h1>		
Description of Mark	NONE		
Goods/Services	Class 042. First use: Computer services, namely, providing a web-based application for users to create websites and portals		

U.S. Application No.	85055210	Application Date	06/04/2010
Registration Date	NONE	Foreign Priority Date	NONE

Word Mark	VMFORCE
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Design Mark	<h1>VMFORCE</h1>		
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: downloadable computer software for use in developing and customizing computer software applications and computer software application user interfaces</p> <p>Class 042. First use: Application service provider, namely, hosting, managing, developing, tracking, analyzing, and maintaining applications, software, web sites, and databases for use in building software applications, and all user management, monitoring, security, and billing associated therewith; providing temporary use of online non-downloadable computer software application development tools; providing and enabling the use of remote computer services, namely, providing a virtual computing environment accessible via the Internet which allows users to design, develop, and maintain software applications; rental of computing and data storage facilities of variable capacity, namely, rental of database and web servers; providing consultancy and advisory services related to the use of computer software platforms and software application development tools</p>		

U.S. Application	85055211	Application Date	06/04/2010
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No.			
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	VMFORCE.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: downloadable computer software for use in developing and customizing computer software applications and computer software application user interfaces</p> <p>Class 042. First use: Application service provider, namely, hosting, managing, developing, tracking, analyzing, and maintaining applications, software, web sites, and databases for use in building software applications, and all user management, monitoring, security, and billing associated therewith; providing temporary use of online non-downloadable computer software application development tools; providing and enabling the use of remote computer services, namely, providing a virtual computing environment accessible via the Internet which allows users to design, develop, and maintain software applications; rental of computing and data storage facilities of variable capacity, namely, rental of database and web servers; providing consultancy and advisory services related to the use of computer software platforms and software application development tools</p>		

U.S. Application No.	85140341	Application Date	09/28/2010
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	SURVEYFORCE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use:		

	Computer services, namely providing a web-based application that allows users to create, send, and capture customer feedback
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U.S. Application/ Registration No.	NONE	Application Date	NONE
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Registration Date	NONE
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Goods/Services	<p>Class 009, Goods and Services: DOWNLOADABLE COMPUTER SOFTWARE FOR USE IN DEVELOPING AND CUSTOMIZING COMPUTER SOFTWARE APPLICATIONS AND COMPUTER SOFTWARE APPLICATION USER INTERFACES; COMPUTER SOFTWARE FOR STORING, MANAGING, TRACKING, ANALYZING, AND REPORTING DATA IN THE FIELD OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT, AND EMPLOYEE EFFICIENCY; COMPUTER SOFTWARE TO FACILITATE COMMUNICATING AMONG PEER PROFESSIONALS IN THE ADVERTISING, MARKETING, AND BUSINESS SERVICES FIELDS, AND FOR CUSTOMIZING COMPUTER APPLICATION USER INTERFACES Class 035, Goods and Services: BUSINESS MANAGEMENT SERVICES, NAMELY, PROVIDING INFORMATION, DATA ASSET, AND IDENTITY MANAGEMENT SERVICES; COMPILATION AND MANAGEMENT OF COMPUTERIZED DATABASES AND CONSULTING SERVICES RELATED THERETO; BUSINESS MANAGEMENT SERVICES, NAMELY, PROVIDING CUSTOMER RELATIONSHIP MANAGEMENT SERVICES AND SALES SUPPORT MANAGEMENT SERVICES; BUSINESS MANAGEMENT CONSULTING SERVICES RELATING TO CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT MANAGEMENT, AND MARKETING AUTOMATION; PROVIDING A WEBSITE WITH GENERAL INFORMATION OF INTEREST TO THE FIELDS OF ADVERTISING, MARKETING, AND BUSINESS</p>
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	<p>MANAGEMENT CONSULTING AND ADVISORY SERVICES; OPERATING ONLINE MARKETPLACES FOR BUYING AND SELLING, SHARING, AND OFFERING FOR FREE COMPUTER SOFTWARE AND ON-DEMAND APPLICATIONS Class 041, Goods and Services: EDUCATIONAL SERVICES, NAMELY, CONDUCTING SEMINARS, CONFERENCES, WORKSHOPS, AND COMPUTER APPLICATION TRAINING IN THE FIELDS OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT AND EMPLOYEE EFFICIENCY, AND DISTRIBUTING COURSE MATERIALS IN CONNECTION THEREWITH Class 042, Goods and Services: PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO STORE, MANAGE, TRACK, ANALYZE, AND REPORT DATA IN THE FIELD OF MARKETING, PROMOTION, SALES, CUSTOMER INFORMATION, CUSTOMER RELATIONSHIP MANAGEMENT, SALES SUPPORT AND EMPLOYEE EFFICIENCY; PROVIDING TEMPORARY USE OF ON-LINE NON-DOWNLOADABLE SOFTWARE TO FACILITATE COMMUNICATING AMONG PEER PROFESSIONALS IN THE ADVERTISING, MARKETING AND BUSINESS SERVICES FIELDS, AND FOR CUSTOMIZING COMPUTER APPLICATION USER INTERFACES; COMPUTER SERVICES, NAMELY, DESIGNING, DEVELOPING, AND MAINTAINING COMPUTER SOFTWARE APPLICATIONS FOR OTHERS AND CONSULTING SERVICES RELATED THERETO; PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE COMPUTER SOFTWARE APPLICATION DEVELOPMENT TOOLS AND PROGRAMMING LANGUAGE FOR USE IN DEVELOPING, ANALYZING, CODING, CHECKING, AND CONTROLLING OTHER COMPUTER SOFTWARE; PROVIDING TEMPORARY USE OF ONLINE NON-DOWNLOADABLE COMPUTER SOFTWARE THAT IMPLEMENTS A PROCEDURAL AND OBJECT-ORIENTED PROGRAMMING LANGUAGE; ONLINE HOSTED COMPUTER SERVICES, NAMELY, DESIGNING, DEVELOPING, CUSTOMIZING, AND MAINTAINING COMPUTER SOFTWARE APPLICATIONS FOR OTHERS; AND CONSULTING SERVICES RELATED THERETO Class 045, Goods and Services: ON-LINE SOCIAL NETWORKING SERVICES</p>
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Attachments	<p>75836332#TMSN.gif (1 page)(bytes) 76575119#TMSN.gif (1 page)(bytes) 77242437#TMSN.jpeg (1 page)(bytes) 78713215#TMSN.jpeg (1 page)(bytes) 78713221#TMSN.jpeg (1 page)(bytes) 78713222#TMSN.jpeg (1 page)(bytes) 78509506#TMSN.jpeg (1 page)(bytes) 77698786#TMSN.jpeg (1 page)(bytes) 77698819#TMSN.jpeg (1 page)(bytes) 77804904#TMSN.jpeg (1 page)(bytes) 77804901#TMSN.jpeg (1 page)(bytes) 85046219#TMSN.jpeg (1 page)(bytes) 85273844#TMSN.jpeg (1 page)(bytes) 85273837#TMSN.jpeg (1 page)(bytes) 85146763#TMSN.jpeg (1 page)(bytes) 85166166#TMSN.jpeg (1 page)(bytes) 85189612#TMSN.jpeg (1 page)(bytes) 85140258#TMSN.jpeg (1 page)(bytes) 85055210#TMSN.jpeg (1 page)(bytes) 85055211#TMSN.jpeg (1 page)(bytes) 85140341#TMSN.jpeg (1 page)(bytes)</p>
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	FORCE common law marks.jpg Petition to Cancel - EDATAFORCE (FINAL).pdf (19 pages)(2186974 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	/Alica Del Valle/
Name	Alica Del Valle
Date	05/20/2011

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

In re Registration of:

Registrant: Edataforce Consulting, LLC
Registration No.: 3,898,834
Issued: January 4, 2011
Mark: **EDATAFORCE**

SALESFORCE.COM, INC.

Petitioner,

v.

EDATAFORCE CONSULTING, LLC

Registrant.

Cancellation No.

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

PETITION FOR CANCELLATION

Salesforce.com, Inc. (hereinafter "Petitioner") a corporation duly organized and existing under the laws of Delaware, with a business address of The Landmark @ One Market, Suite 300, San Francisco, California 94105, believes that it is and will continue to be damaged by Registration No. 3,898,834 and hereby petitions to cancel said registration in its entirety.

As grounds for this Petition, Petitioner alleges on knowledge as to itself and otherwise upon information and belief, as follows:

1. Petitioner was founded in 1999 based on a then innovative business model, which focused on offering enterprise business applications by way of a global computer network rather than through traditional software packages.

2. In order to implement its innovative business model, Petitioner launched its www.salesforce.com website in late 1999, through which it has offered and continues to offer its comprehensive online, non-downloadable business software applications and related services. Today, Petitioner frequently exceeds 150 million transactions per day through its website.

3. Petitioner's customers span numerous industries and include multi-national corporations and industry leaders, including Dow Jones & Company, Google, EMC, AOL Advertising, Blum Capital Partners, Continental Airlines, Dolby, Starbucks, Dr. Pepper Snapple Group, E*Trade Financial, Cisco, Dell, Motorola, Travelocity, Kaiser Permanente, FICO, Hearst Newspapers, Lenovo and Deutsche Bank. Petitioner has additionally partnered with various industry leaders who provide products and services which compliment the products and services it provides, including VMware, BMC Software, Amazon.com, Google, Facebook, Cisco, Accenture, Fujitsu, Hitachi, and Deloitte.

4. Petitioner's customer base has grown exponentially throughout the years. By the end of 2000, Petitioner had around 1,500 corporate customers, which amounted to nearly 30,000 individual subscribers. Today, Petitioner has nearly 92,300 corporate customers, which amount to over 2,000,000 individual subscribers.

5. In 2003, Petitioner expanded its services by offering a proprietary online non-downloadable development platform, now known as FORCE.COM, which allows users to customize existing on-demand applications and to design, develop and maintain new on-demand applications.

6. In 2006, Petitioner launched its online marketplace, APPEXCHANGE, and its related Partner Program. Petitioner's Partners may sell, buy, trade, test, customize and distribute on-demand applications built on Petitioner's FORCE.COM platform through its APPEXCHANGE online marketplace.

7. Petitioner's Partner Program and its FORCE.COM offerings have likewise been hugely successful. In the year the Partner Program was launched, more than 400 applications were created through the FORCE.COM platform. In 2009, Petitioner's Partners and developers built more than 110,000 custom applications and created over 180,000 custom interfaces through the FORCE.COM platform.

8. Petitioner has consistently expanded the scope of its offerings and is continually recognized as a leading innovator in the market, garnering numerous awards throughout the years, including CODIE awards and awards from Forbes, Fortune, Gartner, AOL/Time Warner, Business Week, Wired Magazine, PC Magazine, InfoWorld, and Computerworld.

9. Petitioner has developed and uses a family of FORCE-formative marks in connection with its comprehensive on-demand offerings, including its proprietary on-demand applications and offerings related to its FORCE.COM development platform.

10. Petitioner's FORCE-formative family of marks is evidenced by a number of federal registrations, including but not limited to the following:

MARK	REG. NO./ REG. DATE	GOODS/ SERVICES
SALESFORCE.COM	Reg. No. 2,684,824 Reg. Date: Feb. 4, 2003	Providing temporary use of on-line non-downloadable software for storing, managing, tracking and analyzing data in the field of marketing, promotion, sales, customer information management, customer support services and employee efficiency; providing temporary use of on-line non-downloadable software to create statistical and management reports on marketing, promotion, sales, customer information management, customer support services and

MARK	REG. NO./ REG. DATE	GOODS/ SERVICES
		<p>employee efficiency; providing temporary use of on-line non-downloadable multimedia computer program for communicating with peer professionals; computer services, namely, designing, implementing, and maintaining computer software for others; providing internal company computer networks; providing search engines for obtaining a wide variety of data on a global computer network in International Class 42 First Use/In Commerce: Sept. 27, 1999</p>
SALESFORCE.COM	<p>Reg. No. 2,964,712 Reg. Date: July 5, 2005</p>	<p>Business management services, namely, providing customer relationship management services and sales support management services; business management consulting services relating to customer relationship management, sales support management, and marketing automation; providing a website with general information of interest to the fields of advertising, marketing and business services in International Class 35 First Use/In Commerce: Sept. 27, 1999 Providing temporary use of on-line non-downloadable software to store, manage, track, analyze and report data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the advertising, marketing and business services fields in International Class 42 First Use/In Commerce: Sept. 27, 1999</p>
FORCE.COM	<p>Reg. No. 3,592,166 Reg. Date: March 17, 2009</p>	<p>Providing temporary use of online non-downloadable computer software application development tools; online hosted computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto in International Class 42. First Use/In Commerce: Sept. 17, 2007</p>
SALESFORCE	<p>Reg. No. 3,138,749 Reg. Date: Sept. 5, 2006</p>	<p>Downloadable software for use in web site development; downloadable software for use in computer e-commerce which allows users to perform electronic business transactions, communicate with other users, and access and exchange information via a global computer network; downloadable computer software for use</p>

MARK	REG. NO./ REG. DATE	GOODS/ SERVICES
		in customizing computer application user interfaces in International Class 9 First Use/In Commerce: March 9, 2005
SALESFORCE	Reg. No. 3,141,697 Reg. Date: Sept. 12, 2006	Business management services, namely, providing customer relationship management services and sales support management services; business management consulting services relating to customer relationship management, sales support management, and marketing automation; providing a website with general information of interest to the fields of advertising, marketing and business services in International Class 35 First Use/In Commerce: March 9, 2005
SALESFORCE	Reg. No. 3,164,978 Reg. Date: Oct. 31, 2006	Providing temporary use of on-line non-downloadable software to store, manage, track, analyze, and report data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the advertising, marketing and business services fields, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto in International Class 42 First Use/In Commerce: March 9, 2005
DREAMFORCE	Reg. No. 3,035,403 Reg. Date: Dec. 27, 2005	Educational services, namely, conducting seminars, conferences, workshops, and computer application training in the fields of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency, and distributing course materials in connection therewith in International Class 41 First Use/In Commerce: July 2003
CLOUDFORCE	Reg. No. 3,795,483 Reg. Date: June 1, 2010	Educational services, namely, conducting seminars, conferences, workshops, and computer application training in the fields of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency, and distributing course materials in connection therewith in International Class 41

MARK	REG. NO./ REG. DATE	GOODS/ SERVICES
		First Use/In Commerce: Dec. 8, 2008
	Reg. No. 3,798,299 Reg. Date: June 8, 2010	Educational services, namely, conducting seminars, conferences, workshops, and computer application training in the fields of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency, and distributing course materials in connection therewith in International Class 41 First Use/In Commerce: Dec. 8, 2008
FINANCIALFORCE	Reg. No. 3,836,879 Reg. Date: August 24, 2010	Providing temporary use of on-line non-downloadable software in the fields of accounting and billing; providing temporary use of on-line non-downloadable software to store, manage, track, analyze, and report data in the fields of accounting, accounting management and business management; providing temporary use of on-line non-downloadable software for the electronic interface between third party software applications that enables the exchange of data; providing temporary use of on-line non-downloadable software that allows customers to securely access their accounts to obtain proprietary accounting and business intelligence data; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the fields of accounting management and business management, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto in International Class 42 First Use/In Commerce: September 30, 2009
FINANCIALFORCE.COM	Reg. No. 3,836,878 Reg. Date: August 24, 2010	Providing temporary use of on-line non-downloadable software in the fields of accounting and billing; providing temporary use of on-line non-downloadable software to store, manage, track, analyze, and report data in the fields of accounting, accounting management and business management; providing temporary use of on-line non-downloadable software for the electronic interface between third party software applications that enables the exchange of data; providing temporary use of on-line non-downloadable software that allows customers to securely access their accounts to obtain proprietary accounting and business intelligence data; providing temporary use of on-

MARK	REG. NO./ REG. DATE	GOODS/ SERVICES
		line non-downloadable software to facilitate communicating among peer professionals in the fields of accounting management and business management, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto in International Class 42 First Use/In Commerce: September 30, 2009

11. Each of the registrations listed above is in all respects valid and subsisting and is presumptive evidence of Petitioner's ownership and exclusive right to use the registered marks in commerce in association with the services recited therein.

12. Petitioner's FORCE-formative family of marks additionally includes the marks reflected in a number of pending applications, including but not limited to the following:

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
FORCE	Serial No. 85/046,219 Filing Date: May 24, 2010	Business management services, namely, providing customer relationship management services, sales support management services, business intelligence services, performance management services, and social networking services for businesses; business management consulting services relating to customer relationship management, sales support management, marketing automation, business intelligence, performance management, and social networking for businesses; operating on-line marketplaces for buying and selling, sharing, and offering for free computer software, on-demand applications, and related development tools in International Class 35 First Use/In Commerce: September 2003 Providing temporary use of on-line non-downloadable software to store, manage, track, analyze and report data in the fields of marketing, promotion, sales, customer information, customer relationship management, sales support, and employee efficiency; providing temporary use of on-

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
		<p>line non-downloadable software to facilitate communicating among peer professionals in the advertising, marketing and business services fields; providing temporary use of online non-downloadable computer software application development tools; online hosted computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto in International Class 35 First Use/In Commerce: September 2003</p>
salesforce.com	<p>Serial No. 85/273,844 Filing Date: March 22, 2011</p>	<p>Downloadable computer software for use in developing and customizing computer software applications and computer software application user interfaces; Computer software for storing, managing, tracking, analyzing, and reporting data in the field of marketing, promotion, sales, customer information, customer relationship management, sales, support, and employee efficiency; computer software to facilitate communicating among peer professionals in the advertising, marketing, and business services fields, and for customizing computer application user interfaces in International Class 9 First Use/In commerce: February 1, 2003 Business management services, namely, providing information, data asset, and identity management services; compilation and management of computerized databases and consulting services related thereto; business management services, namely, providing customer relationship management services and sales support management services; business management consulting services relating to customer relationship management, sales support management, and marketing automation; providing a website with general information of interest to the fields of advertising, marketing, and business management consulting and advisory services; operating online marketplaces for buying, selling, sharing, and offering for free computer software and on-demand applications in International Class 35 First Use/In Commerce: February 1, 2003</p>

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
		<p>Educational services, namely, conducting seminars, conferences, workshops, and computer application training in the fields of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency, and distributing course materials in connection therewith in International Class 41</p> <p>First Use/In Commerce: February 1, 2003</p> <p>Providing temporary use of on-line non-downloadable software to store, manage, track, analyze and report data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the advertising, marketing and business services fields, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto; providing temporary use of online non-downloadable computer software application development tools and programming language for use in developing, analyzing, coding, checking, and controlling other computer software; providing temporary use of online non-downloadable computer software that implements a procedural and object-oriented programming language; online hosted computer services, namely, designing, developing, customizing, and maintaining computer software applications for others; and consulting services related thereto in International Class 42</p> <p>First Use/In Commerce: February 1, 2003</p> <p>On-line social networking services in International Class 45</p> <p>First Use/In Commerce: February 1, 2003</p>

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
	<p>Serial No. 85/273,837 Filing Date: March 22,2011</p>	<p>Downloadable computer software for use in developing and customizing computer software applications and computer software application user interfaces; Computer software for storing, managing, tracking, analyzing, and reporting data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support, and employee efficiency; computer software to facilitate communicating among peer professionals in the advertising, marketing, and business services fields, and for customizing computer application user interfaces in</p> <p>International Class 9 First Use/In commerce: November 3, 2008 Business management services, namely, providing information, data asset, and identity management services; compilation and management of computerized databases and consulting services related thereto; business management services, namely, providing customer relationship management services and sales support management services; business management consulting services relating to customer relationship management, sales support management, and marketing automation; providing a website with general information of interest to the fields of advertising, marketing, and business management consulting and advisory services; operating online marketplaces for buying, selling, sharing, and offering for free computer software and on-demand applications in International Class 35 First Use/In Commerce: November 3, 2008 Educational services, namely, conducting seminars, conferences, workshops, and computer application training in the fields of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency, and distributing course materials in connection therewith in International Class 41 First Use/In Commerce: November 3, 2008 Providing temporary use of on-line non-downloadable software to store, manage, track, analyze and report data in the field of</p>

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
		<p>marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the advertising, marketing and business services fields, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto; providing temporary use of online non-downloadable computer software application development tools and programming language for use in developing, analyzing, coding, checking, and controlling other computer software; providing temporary use of online non-downloadable computer software that implements a procedural and object-oriented programming language; online hosted computer services, namely, designing, developing, customizing, and maintaining computer software applications for others; and consulting services related thereto in International Class 42 First Use/In Commerce: November 3, 2008 On-line social networking services in International Class 45 First Use/In Commerce: November 3, 2008</p>
DEVELOPERFORCE	Serial No. 85/146,763 Filing Date: October 6, 2010	Educational services, namely, providing online seminars, electronic technical notes and newsletters, discussion boards and blogs in the fields of software application development and computer system architectures in International Class 41 First Use/In Commerce: January 17, 2008 Providing temporary use of online non-downloadable computer software application development tools for the development and operation of software applications by others; online hosted computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto; providing a website with general

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
		<p>information of interest to the fields of computer software application development and computer system architectures; computer services, namely, the creation and management of online communities that allow participants to share information via a global computer network in International Class 42</p> <p>First Use/In Commerce: January 17, 2008</p>
VISUALFORCE	<p>Serial No. 85/166,166 Filing Date: November 1, 2010</p>	<p>Providing temporary use of online non-downloadable computer software application development tools for use in developing, analyzing, coding, checking and controlling computer application user interfaces; online hosted computer services, namely, designing, developing, customizing and maintaining computer application user interfaces for others; and consulting services related thereto in International Class 42</p> <p>First Use/In Commerce: September 17, 2007</p>
ISVFORCE	<p>Serial No. 85/189,612 Filing Date: December 2, 2010</p>	<p>Downloadable computer software for use in developing and customizing computer software applications and computer software application user interfaces; computer software for storing, managing, tracking, analyzing, and reporting data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support, and employee efficiency; computer software to facilitate communicating among peer professionals in the advertising, marketing, and business services fields, and for customizing computer application user interfaces in International Class 9</p> <p>Business management services, namely, providing information, data asset, and identity management services; compilation and management of computerized databases; and consulting services related thereto; Business management services, namely, providing customer relationship management services and sales support management services; business management consulting services relating to customer relationship management, sales support management, and marketing automation; providing a website with general information of interest to the fields of</p>

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
		<p>advertising, marketing, and business management consulting and advisory services; operating online marketplaces for buying and selling, sharing, and offering for free computer software and on-demand applications in International Class 35</p> <p>Providing temporary use of on-line non-downloadable software to store, manage, track, analyze, and report data in the field of marketing, promotion, sales, customer information, customer relationship management, sales support and employee efficiency; providing temporary use of on-line non-downloadable software to facilitate communicating among peer professionals in the advertising, marketing and business services fields, and for customizing computer application user interfaces; computer services, namely, designing, developing, and maintaining computer software applications for others and consulting services related thereto;</p> <p>Providing temporary use of online non-downloadable computer software application development tools and programming language for use in developing, analyzing, coding, checking, and controlling other computer software; providing temporary use of online non-downloadable computer software that implements a procedural and object-oriented programming language; online hosted computer services, namely, designing, developing, customizing, and maintaining computer software applications for others; and consulting services related thereto in International Class 42</p> <p>On-line social networking services in International Class 45</p>
SITFORCE	Serial No. 85/140,258 Filing Date: Sept. 28, 2010	Computer services, namely, providing a web-based application for users to create websites and portals in International Class 42
VMFORCE	Serial No. 85/055,210 Filing Date: June 4, 2010	Downloadable computer software for use in developing and customizing computer software applications and computer software application user interfaces in International Class 9 Application service provider, namely,

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
		<p>providing, hosting, managing, developing, researching, tracking, analyzing, reporting, and maintaining applications, software, web sites, and databases for use in building software applications, and all user management, monitoring, security, and billing associated therewith; providing temporary use of online non-downloadable computer software application development tools; providing and enabling the use of remote computer services, namely, providing a virtual computing environment accessible via the Internet which allows users to design, develop, and maintain software applications; rental of computing and data storage facilities of variable capacity, namely, rental of database and web servers; providing consultancy and advisory services related to the use of computer software platforms and software application development tools in International Class 42</p>
VMFORCE.COM	<p>Serial No. 85/055,211 Filing Date: June 4, 2010</p>	<p>Downloadable computer software for use in developing and customizing computer software applications and computer software application user interfaces in International Class 9</p> <p>Application service provider, namely, providing, hosting, managing, developing, researching, tracking, analyzing, reporting, and maintaining applications, software, web sites, and databases for use in building software applications, and all user management, monitoring, security, and billing associated therewith; providing temporary use of online non-downloadable computer software application development tools; providing and enabling the use of remote computer services, namely, providing a virtual computing environment accessible via the Internet which allows users to design, develop, and maintain software applications; rental of computing and data storage facilities of variable capacity, namely, rental of database and web servers; providing consultancy and advisory services related to the use of computer software platforms and software application development tools in International Class 42</p>

MARK	SERIAL NO./ FILING DATE	GOODS/ SERVICES
SURVEYFORCE	Serial No. 85/140,341 Filing date: September 28, 2010	Computer services, namely, providing a web-based application that allows users to create, send, and capture customer feedback in International Class 42

13. Petitioner's FORCE-formative family of marks additionally includes various marks for which it owns common law rights, including a number of marks incorporating its distinctive FORCE Design Mark, including the following:



14. Petitioner has used its distinctive FORCE Design Mark since as early as 2003, and prominently features it in connection with its comprehensive on-demand applications, development platform, and related services on its various websites, including www.salesforce.com, www.force.com, www.dreamforce.com, and www.vmforce.com.

15. Petitioner has expended substantial effort and expense in the advertising and promotion of its FORCE-formative family of marks throughout the United States with the result

that customers, the public, and trade have come to know, rely upon and recognize the services and products of Petitioner by such marks. Petitioner primarily advertises the services and products offered under its FORCE-formative family of marks through online media advertising and through trade shows and conferences, including DREAMFORCE – its annual user and developer conference – and its CLOUDFORCE mini conferences. As a result of Petitioner’s efforts and by virtue of the excellence of its services and products, Petitioner had garnered a most valuable reputation and goodwill in a significant number of its FORCE-formative marks well before any date of first use upon which Registrant can rely.

16. On December 1, 2009, Registrant filed an application for the mark EDATAFORCE for the following services:

“Computer software development and computer programming development for others” in **International Class 42**, claiming it first used the mark in commerce in connection with these services on September 29, 2009.

Petitioner objects to registration of the mark for these services and prays for cancellation.

17. Upon information and belief, Registrant’s adoption and use of the EDATAFORCE mark was with the intent to derive benefit from the value and reputation of Petitioner’s FORCE-formative marks.

18. On information and belief, Petitioner alleges that the services Registrant is currently offering constitute services identical and/or substantially related to Petitioner’s comprehensive on-demand offerings are being offered in the United States to the same class of customers through the same or similar channels of trade.

19. Registrant’s EDATAFORCE mark so resembles Petitioner’s previously adopted and continually expanding FORCE-formative family of marks as to be likely, when applied to its

identical and/or substantially related services, to cause confusion, mistake or deception within the meaning of Section 2(d) of the Trademark Act.

20. Based on the similarity of Registrant's mark to Petitioner's FORCE-formative family of marks, consumers are likely to consider services offered by Registrant under the EDATAFORCE mark as emanating from Petitioner, or to believe that Registrant's services are sponsored, endorsed or licensed by Petitioner, or that there is some special relationship between Registrant and Petitioner. Any such confusion will result in irreparable damage to Petitioner's reputation and goodwill.

21. If Registrant is permitted to retain Registration No. 3,898,834 for the EDATAFORCE mark for "computer software development and computer programming development for others," a cloud will be placed upon Petitioner's right to use and expand its FORCE-formative family of marks for use in connection with its comprehensive on-demand business enterprise applications and related services in the United States. Such registration is a source of damage and injury to Petitioner.

22. Petitioner has been and will continue to be damaged by the existence of Registration Number 3,898,834 because such registration will support and assist Registrant in the confusing and misleading use of Registrant's mark, and will give color of exclusive statutory rights to Registrant in violation and derogation of the prior and superior rights of Petitioner.

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WHEREFORE, Petitioner prays that Registration No. 3,898,834 be canceled in its entirety and that this Petition for Cancellation be sustained in favor of Petitioner.

Respectfully submitted,

OWEN, WICKERSHAM & ERICKSON, P.C.

Dated:

5/20/2011

By:



Alicia Del Valle
Noel M. Cook

Attorneys for Petitioner,
SALESFORCE.COM, INC.

455 Market Street, 19th Floor
San Francisco, CA 94105
Phone: (415) 882-3200
Fax: (415) 882-3232
E-mail: adelvalle@owe.com

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing

PETITION FOR CANCELLATION

Is being served on Applicant via first class U.S. mail, postage prepaid, to the following address:

Ms. Kavitha Akula
Akula & Associates, P.C.
c/o Edataforce Consulting, LLC
1303 W. Walnut Hill Ln, Ste. 225
Irving, TX 75038-2949

Dated: May 20, 2011

A handwritten signature in black ink, appearing to read 'Alica Del Valle', written over a horizontal line.

Alica Del Valle