

ESTTA Tracking number: **ESTTA424069**

Filing date: **08/09/2011**

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	Preferred Hotel Group, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	311 S. Wacker Dr., Suite 1900 Chicago, IL 60606 UNITED STATES		

Attorney information	Tamara F. Carmichael LOEB & LOEB LLP 345 Park Avenue New York, NY 10154 UNITED STATES chdocket@loeb.com, tcarmichael@loeb.com, dmasters@loeb.com, aprovenio@loeb.com Phone:212-407-4000		
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Registration Subject to Cancellation

Registration No	2099531	Registration date	09/23/1997
Registrant	E.H. SUMMIT, INC. 11461 Sunset Boulevard Los Angeles, CA 90049 UNITED STATES		

Goods/Services Subject to Cancellation

Class 042. First Use: 1985/06/00 First Use In Commerce: 1985/06/00 All goods and services in the class are cancelled, namely: hotel services

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Petition To Cancel - SUMMIT HOTELS.pdf (3 pages)(11695 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	/Tamara F. Carmichael/
Name	Tamara F. Carmichael
Date	08/09/2011

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

In The Matter of Registration No. 2,099,531: SUMMIT HOTELS
Registration Date: September 23, 1997

PREFERRED HOTEL GROUP, INC.,)	
)	
Petitioner,)	
)	
v.)	Cancellation No. _____
)	
E.H. SUMMIT, INC.,)	
)	
Registrant.)	

PETITION FOR CANCELLATION

Preferred Hotel Group, Inc., a Delaware corporation, believes it is and will continue to be damaged by the maintenance of Reg. No. 2,099,531 on the Principal Register and petitions to cancel the same under the provisions of 15 U.S.C. §1064(3). As grounds for cancellation, Petitioner asserts that:

1. Petitioner, Preferred Hotel Group, Inc., owns and operates hotels and provides related services throughout the United States (“Petitioner”).
2. Upon information and belief, Registrant, E.H. Summit, Inc., is a California corporation that claims once to have operated two hotels on Rodeo Drive and Sunset Hills in Southern California.
3. On or about April 14, 1997, Registrant filed an application to register the mark SUMMIT HOTELS for “hotel services.”
4. On September 23, 1997, Registrant obtained a registration for SUMMIT HOTELS, Reg. No. 2,099,531.

5. On information and belief, Registrant has ceased use, within the meaning of 15 U.S.C. § 1127, of the mark shown in Reg. No. 2,099,531.

6. On information and belief, Registrant intends not to resume use of the mark shown in Registration No. 2,099,531.

7. Registrant has abandoned Registration No. 2,099,531 in accordance with 15 U.S.C. § 1127.

WHEREFORE, continued registration of the Registration No. 2,099,531 is and continues to be damaging to Petitioner.

Please debit our Deposit Account No. 502547 for the appropriate filing fee and any additional necessary fees.

Please address all correspondence to Tamara F. Carmichael, LOEB & LOEB LLP, 345 Park Avenue, New York, New York 10154.

Date: August 9, 2011

Respectfully Submitted,

LOEB & LOEB LLP

By: /s/ Tamara F. Carmichael
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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I, Angela O. Provencio, hereby certify that a copy of the **PETITION FOR CANCELLATION** has been served upon:

MICHAEL A PAINTER
Isaacman, Kaufman & Painter
10250 Constellation Boulevard, Suite 2900
Los Angeles, CA 90067

via first class mail, postage prepaid on August 9, 2011

/s/ Angela O. Provencio