

ESTTA Tracking number: **ESTTA458634**

Filing date: **02/27/2012**

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	Las Palomas Restaurant & Bar, Inc.		
Entity	Corporation	Citizenship	Texas
Address	3201 Bee Caves Road, Suite 122 Austin, TX 78746 UNITED STATES		

Attorney information	Robert B. Kleinman Kleinman Law Firm, PLLC 404 W. 7th St. Austin, TX 78701 UNITED STATES robert@kleinmanlawfirm.com Phone:5122995329		
----------------------	---	--	--

Registration Subject to Cancellation

Registration No	1728354	Registration date	10/27/1992
Registrant	SCG TUCSON HOLDCO, L.L.C. 591 WEST PUTNAM AVENUE GREENWICH, CT 06830 UNITED STATES		

Goods/Services Subject to Cancellation

Class 042. First Use: 1986/01/31 First Use In Commerce: 1986/01/31 All goods and services in the class are cancelled, namely: hotel and restaurant services
--

Grounds for Cancellation

Abandonment	Trademark Act section 14
-------------	--------------------------

Related Proceedings	See USPTO Application Serial No. 85391944
---------------------	---

Attachments	Petition.to.Cancel_LA.PALOMA.pdf (1 page)(535357 bytes)
-------------	--

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	/robert kleinman/
Name	Robert B. Kleinman

Date	02/27/2012
------	------------

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

In the matter of trademark Registration No. 1728354
For the mark LA PALOMA
Date registered: October 27, 1992

Las Palomas Restaurant & Bar, Inc.
v.
SCG TUCSON HOLDCO, L.L.C.

PETITION TO CANCEL

Las Palomas Restaurant & Bar, Inc.
State of Incorporation: Texas
3201 Bee Caves Road, Suite 122
Austin, Texas 78746

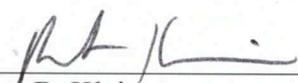
To the best of petitioner's knowledge, the name and address of the current owner of the registration are SCG TUCSON HOLDCO, L.L.C., 591 West Putnam Avenue, Greenwich, Connecticut 06830.

The above-identified petitioner believes that it will be damaged by the above-identified registration, and hereby petitions to cancel the same.

The grounds for cancellation are as follows:

ABANDONMENT. The petitioner, through his attorney, has filed a trademark application, serial No. 85391944, for the service mark LAS PALOMAS RESTAURANT-BAR. On December 8, 2011 the examining attorney has issued an Office Action stating that the registration of the petitioner's mark will be refused because of a likelihood of confusion with the mark LA PALOMA in U.S., Registration No. 1728354. The petitioner's attorney has actively sought to contact the purported owner of the mark LA PALOMA or the owner's attorney in connection with this issue. After speaking with several attorneys and performing extensive independent research, the petitioner's attorney has reached the good faith conclusion that the mark has been abandoned.

The petitioner, therefore, respectfully requests that the Trademark Trial and Appeal Board cancels Registration No. 1728354.

By 
Robert B. Kleinman
Attorney for the Petitioner

Date 2/27/2012