

ESTTA Tracking number: **ESTTA473819**

Filing date: **05/22/2012**

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	Christiane E, LLC		
Entity	limited liability company	Citizenship	Delaware
Address	4053 Hunts Point Road Hunts Point, WA 98004 UNITED STATES		

Attorney information	James L. Vana PERKINS COIE LLP 1201 3rd Avenue Suite 4900 Seattle, WA 98101 UNITED STATES pctrademarks@perkinscoie.com Phone:(206) 359-3036
----------------------	--

Registration Subject to Cancellation

Registration No	855720	Registration date	08/27/1968
Registrant	INTERNATIONAL EXPEDITIONS, INC. ONE ENVIRONS PARK HELENA, AL 35080 UNITED STATES		

Goods/Services Subject to Cancellation

Class U105 (International Class 039). First Use: 1965/08/15 First Use In Commerce: 1965/08/15
All goods and services in the class are cancelled, namely: TRAVEL AGENCY SERVICES

Grounds for Cancellation

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

Attachments	Petition for Cancellation.pdf (4 pages)(188248 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	/James L. Vana/
Name	James L. Vana
Date	05/22/2012

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

CHRISTIANE E, LLC,

Petitioner,

v.

INTERNATIONAL EXPEDITIONS, INC.,

Registrant.

Cancellation No.:

PETITION FOR CANCELLATION

Mark: INTRAV

Registration No.: 0855720

Registration Date: August 27, 1968

Christiane E, LLC ("Petitioner") believes that it will be damaged by the continued registration of International Expeditions, Inc. ("Registrant") for the mark INTRAV (the "Registered Mark") for use in connection with those services (the "Registered Services") listed in Registration No. 0855720 (the "Registration"), and hereby petitions to cancel the Registration. As grounds for its petition, Petitioner alleges as follows:

I. PARTIES

1. Petitioner is a Delaware limited liability company, having a place of business in Bellevue, Washington.
2. On information and belief, Registrant is a Delaware corporation, having a place of business in Helena, Alabama.

II. PETITIONER'S MARK AND APPLICATIONS

3. Petitioner is a travel agency, providing or intending to provide reservations and bookings for transportation, organization of travel, and travel information services ("Petitioner's Business").
4. Petitioner has filed application Serial No. 85624993 ("Petitioner's Application") to register the mark INTRAV ("Petitioner's Mark") with those services ("Petitioner's Services") listed in Petitioner's Application.

5. An excerpt from the Trademark Office's on-line records showing Petitioner's Application is attached.
6. Petitioner has a bona fide intent to use Petitioner's Mark in commerce with Petitioner's Services.

III. THE REGISTERED MARK AND REGISTRATION

7. The Registration was issued on August 27, 1968, from application No. 72280596 (the "Application") filed by International Travel Advisors, Inc. ("Applicant") on September 18, 1967.
8. The Registration claims first use of the Registered Mark with the Registered Services on August 15, 1965.
9. Through a series of name changes, mergers and assignments, ownership of the Mark, the Application and the Registration were transferred from Applicant to the current Registrant.
10. Excluding security interest filings, the chain of record title for the Registration is as follows:

<u>Assignor</u>	<u>Assignee</u>	<u>Transfer Type</u>	<u>Recordal Date</u>	<u>Reel/Frame</u>
International Travel Advisors, Inc.	Intrav, Inc.	Name change	12/26/1979	0360/0884
Intrav, Inc.	Windsor, Inc.	Name change	10/3/1983	0450/0091
Windsor, Inc.	Intrav, Inc.	Assignment	3/1/1995	1306/0438
Intrav, Inc.	Intrav, Inc.	Merger	8/18/2006	3372/0624
Intrav, Inc.	International Expeditions, Inc.	Assignment	12/21/2007	3684/0169

11. After diligent inquiry, Petitioner is unable to locate any ongoing use of the Registered Mark by Registrant International Expeditions, Inc. or any other party associated with Registrant.

IV. ABANDONMENT CLAIM

12. On information and belief, Registrant has ceased using the Registered Mark, with an intent not to resume use of the Registered Mark.
13. Petitioner anticipates that the Trademark Office will refuse registration of Petitioner's Mark for Petitioner's Services on the grounds that the Registered Mark, as used with those services listed in the Registration, is confusingly similar to Petitioner's Mark, as used with Petitioner's Services.
14. The continued registration of the Registered Mark would thus prevent Petitioner from establishing, developing and exercising exclusive control over and goodwill in Petitioner's Mark. Therefore, the continued registration of the Registered Mark would damage and injure Petitioner.
15. Because the Registered Mark has been abandoned, and because continued registration of the Registered Mark would damage and injure Petitioner, the Registration should be canceled.

V. REQUEST FOR RELIEF

WHEREFORE, Petitioner requests that registration No. 0855720 be canceled.

VI. FEES

16. Please charge Petitioner's deposit account No. 0502278, for the \$300.00 fee for this cancellation petition.

DATED: May 22, 2012

CERTIFICATE OF SERVICE

I hereby certify that this PETITION FOR CANCELLATION is being deposited with the United States Postal Service with sufficient postage as first class mail on May 22, 2012, in an envelope addressed to:

International Expeditions, Inc.
One Environs Park
Helena, AL 35080

Signature: 

Printed Name: LINDA L. MARTIN

Respectfully submitted,

PERKINS COIE LLP

By: /James L. Vana/

Jim Vana

Attorneys for Opposer
1201 Third Avenue, 49th Floor
Seattle, Washington 98101-3099

(206) 359-3036