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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	Aegis Media Americas, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	150 East 42nd Street 13th Floor New York, NY 10017 UNITED STATES		

Attorney information	Deborah L. Shapiro Moses & Singer LLP The Chrysler Building 405 Lexington Avenue New York, NY 10174-1299 UNITED STATES trademark@mosessinger.com, dshapiro@mosessinger.com, eberger@mosessinger.com Phone:212-554-7800
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Registration Subject to Cancellation

Registration No	3658088	Registration date	07/21/2009
International Registration No.	NONE	International Registration Date	NONE
Registrant	StoryLab Enterprises Inc. 375 375 Water Street Vancouver, V6B 5C6 CANADA		

Goods/Services Subject to Cancellation

<p>Class 035. All goods and services in the class are cancelled, namely: Marketing services, namely, consumer research, market positioning research, brand development in the field of real estate development and marketing; Brand management services relating to the analysis, evaluation, creation and brand establishment of trademarks, trade names and domain names; Business management planning, namely, creative and strategic planning for businesses and organizations; Organization development consulting, namely, business organizational planning; managing organizational culture, namely, brand development in the field of business consulting in the form of aligning external brands with a company culture; Real estate marketing services, namely, on-line services featuring tours of residential and commercial real estate; business management consultation in the field of executive and leadership development</p>
<p>Class 041. All goods and services in the class are cancelled, namely: Educational services, namely, sales training, business leadership development training; Special event planning and arranging seminars and conferences; Development of educational materials for others, namely, conference or retreat presentations and written material such as handouts and exercise instructions in the field of sales training, business leadership development and training, business management consultation, executive and leadership development; Electronic publishing services for others, namely, creation and publication of text and graphic works on interactive, pre-recorded DVDs, on kiosks and in video</p>

form, namely, CD ROMs, video cassettes, video tapes/discs, computer software, and any other medium which may become available in the future for such recordings, all featuring information on real estate sales training, business leadership development and training and business management consultation for executive and leadership development all for the benefit of third parties; Providing courses of instruction at the primary level and providing classes in the fields of science, art and culture for the purpose of teaching, entertaining, or promoting client wares or services, where the end-user can interact with the interactive, pre-recorded DVDs, kiosks or online images, video and animation by selecting and manipulating the content he or she wishes to view

Class 042.

All goods and services in the class are cancelled, namely: Design of specialty interior and exterior environment settings, namely, the design of a physical space for the purpose of teaching, entertaining, conducting business or promoting client wares or services, otherwise known as visitor centre design, interpretive centre design, sales centre design or presentation centre design including all interior and exterior elements, both audio and visual, and including landscape architectural design

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Petition_for_Cancellation_STORYLAB_3658088.pdf (6 pages)(30938 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 Overnight Courier on this date.

Signature	/Deborah L. Shapiro/
Name	Deborah L. Shapiro
Date	08/13/2012

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

In the Matter of Registration No. 3,658,088
Registered July 21, 2009
Mark: STORYLAB

AEGIS MEDIA AMERICAS, INC.,

Petitioner,

v.

STORYLAB ENTERPRISES INC.,

Respondent.

Cancellation No. _____

PETITION FOR CANCELLATION

Petitioner Aegis Media Americas, Inc. (“Aegis”), believes that it is, and will continue to be, damaged by Registration No. 3,658,088 for the mark STORYLAB and hereby petitions for cancellation pursuant to Sections 14(3) and 45 of the Trademark Act of 1946, as amended (the “Lanham Act”), 15 U.S.C. §§ 1064(3), 1127. As grounds for cancellation, Petitioner asserts that:

1. Aegis is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business at 150 East 42nd Street, 13th Floor, New York, New York 10017.
2. Respondent StoryLab Enterprises Inc. is currently on record as the owner of Registration No. 3,658,088 for the designation STORYLAB (the “Registration”) in connection with the following services:

Class 35: Marketing services, namely, consumer research, market positioning research, brand development in the field of real estate development and marketing; Brand management services relating to the analysis, evaluation, creation and brand establishment

of trademarks, trade names and domain names; Business management planning, namely, creative and strategic planning for businesses and organizations; Organization development consulting, namely, business organizational planning; managing organizational culture, namely, brand development in the field of business consulting in the form of aligning external brands with a company culture; Real estate marketing services, namely, on-line services featuring tours of residential and commercial real estate; business management consultation in the field of executive and leadership development;

Class 41: Educational services, namely, sales training, business leadership development training; Special event planning and arranging seminars and conferences; Development of educational materials for others, namely, conference or retreat presentations and written material such as handouts and exercise instructions in the field of sales training, business leadership development and training, business management consultation, executive and leadership development; Electronic publishing services for others, namely, creation and publication of text and graphic works on interactive, pre-recorded DVDs, on kiosks and in video form, namely, CD ROMs, video cassettes, video tapes/discs, computer software, and any other medium which may become available in the future for such recordings, all featuring information on real estate sales training, business leadership development and training and business management consultation for executive and leadership development all for the benefit of third parties; Providing courses of instruction at the primary level and providing classes in the fields of science, art and culture for the purpose of teaching, entertaining, or promoting client wares or services, where the end-user can interact with the interactive, pre-recorded DVDs, kiosks or online images, video and animation by selecting and manipulating the content he or she wishes to view;

Class 42: Design of specialty interior and exterior environment settings, namely, the design of a physical space for the purpose of teaching, entertaining, conducting business or promoting client wares or services, otherwise known as visitor centre design, interpretive centre design, sales centre design or presentation centre design including all interior and exterior elements, both audio and visual, and including landscape architectural design.

3. The Registration issued on July 21, 2009.

4. Upon information and belief, Respondent is a Canadian corporation with its principal place of business at 375-375 Water Street, Vancouver, V6B 5C6 British Columbia.

5. On June 7, 2012, Aegis filed an intent-to-use application for THE STORY LAB, Serial No. 85/645,443, in connection with “advertising services, namely, promoting and marketing the goods and services of others through print, audio, video, and electronic media; consultation services, namely, creative and strategic consultation regarding the development and production of marketing campaigns for others; marketing and branding

services, namely, content strategies and communication plans” in International Class 35 (the “Application”).

6. As the Registration is for a virtually identical mark and covers services related to those covered by the Application, the U.S. Patent and Trademark Office will likely reject the Application based on a likelihood of confusion with the Registration.

7. Upon information and belief, Respondent is not currently making a bona fide use of its designation STORYLAB in commerce in the United States, in the ordinary course of trade, in connection with the services listed in the Registration in Class 35.

8. Upon information and belief, for at least three consecutive years since the issuance of the Registration, Respondent has not made bona fide use of the designation STORYLAB, in commerce in the United States, in the ordinary course of trade, in connection with the services listed in the Registration in Class 35.

9. Upon information and belief, Respondent has no intent to resume any use of its designation STORYLAB in commerce in the United States, in the ordinary course of trade, in connection with the services listed in the Registration in Class 35.

10. Upon information and belief, Respondent is not currently making a bona fide use of its designation STORYLAB in commerce in the United States, in the ordinary course of trade, in connection with the services listed in the Registration in Class 41.

11. Upon information and belief, for at least three consecutive years since the issuance of the Registration, Respondent has not made bona fide use of the designation STORYLAB, in commerce in the United States, in the ordinary course of trade, in connection with the services listed in the Registration in Class 41.

12. Upon information and belief, Respondent has no intent to resume any use of its designation STORYLAB in commerce in the United States, in the ordinary course of trade, in connection with the services listed in the Registration in Class 41.

13. Upon information and belief, Respondent is not currently making a bona fide use of its designation STORYLAB in commerce in the United States, in the ordinary course of trade, in connection with the services listed in the Registration in Class 42.

14. Upon information and belief, for at least three consecutive years since the issuance of the Registration, Respondent has not made bona fide use of the designation STORYLAB, in commerce in the United States, in the ordinary course of trade, in connection with the services listed in the Registration in Class 42.

15. Upon information and belief, Respondent has no intent to resume any use of its designation STORYLAB in commerce in the United States, in the ordinary course of trade, in connection with any of the services listed in the Registration in Class 42.

16. As a result of its failure to use its STORYLAB designation, Respondent has abandoned its rights to the Registration.

17. Cancellation of the Registration should be granted on the grounds that Respondent has abandoned the Registration pursuant to Section 14 of the Lanham Act, 15 U.S.C. § 1064.

WHEREFORE, Petitioner Aegis Media Americas will be damaged by Registration No. 3,658,088 and respectfully requests that this Petition for Cancellation be sustained and Registration No. 3,658,088 be cancelled in its entirety.

Pursuant to 37 C.F.R. § 2.6(a)(16), please charge Deposit Account Number 50-3326 the requisite amount of \$900 to cover the statutory fee for filing a petition for cancellation in

three International Classes. Please also charge any additional amounts to Deposit Account Number 50-3326.

Dated: New York, New York
August 13, 2012

Respectfully submitted,

MOSES & SINGER LLP

By: _____ /Deborah L. Shapiro/

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Attorneys for Petitioner Aegis Media Americas, Inc.

CERTIFICATE OF SERVICE

I certify that on the 13th day of August, 2012, I caused a true copy of the attached Petition for Cancellation to be served on Respondent StoryLab Enterprises Inc., by sending same via overnight courier to the Respondent's correspondent information listed with the US Patent and Trademark Office, at the following addresses:

Accupro Trademark Services Ltd.
Suite 702
401 West Georgia Street
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V6B 5A1 British Columbia
Canada
Attention: Trisha A. Dore, Attorney of Record

Wells St. John, P.S.
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Attention: Mark W. Hendricksen, Domestic Representative

/Deborah L. Shapiro/

Deborah L. Shapiro