

ESTTA Tracking number: **ESTTA535665**

Filing date: **05/01/2013**

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	Catalyst Mortgage		
Entity	Corporation	Citizenship	California
Address	1375 Exposition Blvd., Suite 207 Sacramento, CA 95815 UNITED STATES		

Attorney information	Susan E. Hollander, Esq. K&L Gates LLP 4 Embarcadero, Suite 1200 San Francisco, CA 94111 UNITED STATES ttablitigationdocket@klgates.com, Jocelyn.Belloni@klgates.com Phone:415-882-8010
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Registration Subject to Cancellation

Registration No	2956688	Registration date	05/31/2005
Registrant	Catalist Homes, Inc. 2601 Pacific Coast Highway, Suite 302 Hermosa Beach, CA 90254 UNITED STATES		

Goods/Services Subject to Cancellation

Class 036. First Use: 2001/03/20 First Use In Commerce: 2001/03/20 All goods and services in the class are cancelled, namely: Real estate brokerage and real estate listing services

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Petition to Cancel CATALIST HOMES, INC., Reg. No. 2956688.pdf (4 pages) (489843 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	/Jocelyn M. Belloni/
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Name	Jocelyn M. Belloni, Esq.
Date	05/01/2013

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

In re Trademark Registration No. 2,956,688
Mark: CATALIST HOMES INC.
Date of Issue: May 31, 2005

CATALYST MORTGAGE,)	CANCELLATION NO. _____
)	
Petitioner,)	
)	
vs.)	
)	
CATALIST HOMES, INC.,)	
)	
Registrant.)	

PETITION TO CANCEL

Catalyst Mortgage, a corporation organized under the laws of California, having a place of business at 1375 Exposition Blvd., Suite 207, Sacramento, California 95815 ("Petitioner") believes that it is and will be damaged by the continued registration of the mark shown in Registration No. 2,956,688 in International Class 36 (the "CATALIST HOMES INC. Mark") and hereby petitions to cancel the same under the provisions of Section 14 of the Trademark Act of 1946, 15 U.S.C. § 1064.

The grounds for cancellation are as follows:

1. The Registrant Catalist Homes, Inc. ("Registrant") is, upon information and belief, a Delaware corporation, with a principal place of business at 2601 Pacific Coast Highway, Suite 302 Hermosa Beach, California 90254.
2. Petitioner is the owner of Registration No. 4,175,817 for the word mark CATALYST MORTGAGE and Registration No. 4,133,466 for the logo mark CATALYST MORTGAGE &

Design, which cover certain mortgage lending, brokerage and procurement services in Class 36 (the "CATALYST MORTGAGE Marks").

3. On or about February 6, 2004 Registrant filed the above-referenced trademark application to register the CATALIST HOMES INC. Mark for "Real estate brokerage and real estate listing services" in Class 36, under 1(a) based on a claimed date of first use of March 20, 2001. The application subsequently matured into Registration No. 2,956,688 on May 31, 2005 (the "Registration").

4. Petitioner has tried repeatedly, without success, to find evidence of use of Registrant's CATALIST HOMES INC. mark.

5. Upon information and belief, Registrant is no longer in business, has discontinued use of its mark in commerce, and has no intent to resume use of its mark; therefore its Registration is subject to cancellation.

6. Upon information and belief, Registrant has abandoned the mark in Registration No. 2,956,688 pursuant to 15 U.S.C. § 1127.

7. Petitioner is being damaged by the continuance of Registration No. 2,956,688 in that the Registration is likely to and will diminish the goodwill and value of Petitioner's CATALYST MORTGAGE Marks.

Wherefore, Petitioner prays that the Petition be granted and that Registration No. 2,956,688 for the CATALIST HOMES INC. Mark be ordered canceled on the grounds set forth above.

Petitioner hereby appoints Susan E. Hollander and Jocelyn M. Belloni, members of the law firm of K&L Gates LLP, to act as attorneys for Petitioner herein, with full power to prosecute said Petition, to transact all relevant business with the Patent and Trademark Office

and in the United States Courts and to receive all official communications in connection with this Petition for Cancellation.

Please charge Petitioner's Deposit Account No. 503229 the \$300 fee for the Petition under § 2.6(a)(16) for one class.

Respectfully submitted,

Dated: May 1, 2013



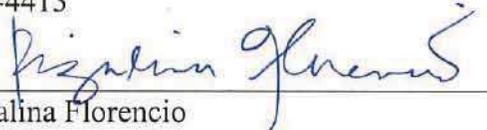
Susan E. Hollander
Jocelyn M. Belloni
K&L Gates LLP
4 Embarcadero, Suite 1200
San Francisco, CA 94111

Attorneys for Petitioner
Catalyst Mortgage

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **PETITION TO CANCEL** has been properly served, via U.S. mail, on the following correspondent for Registrant on this 1st day of May, 2013.

Julia Anne Matheson, Esq.
Finnegan Henderson Farabow Garrett et al
901 New York Ave NW
Washington, District of Columbia 20001-4413



Rizalina Florencio