

ESTTA Tracking number: **ESTTA542203**

Filing date: **06/06/2013**

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	Maxicom Capital Partners, LLC		
Entity	LLC	Citizenship	New York
Address	4 Cornell Drive Great Neck, NY 11020 UNITED STATES		

Attorney information	Henry J. Cittone Cittone & Chinta LLP 11 Broadway, Suite 615 New York, NY 10004 UNITED STATES hcittone@cittonechinta.com Phone:2127105619		
----------------------	--	--	--

Registration Subject to Cancellation

Registration No	3564147	Registration date	01/20/2009
Registrant	Maxcomm, LLC 5671 South Redwood Road, Suite 20 Salt Lake City, UT 84123 UNITED STATES		

Goods/Services Subject to Cancellation

Class 035. First Use: 1986/00/00 First Use In Commerce: 1986/00/00 All goods and services in the class are cancelled, namely: Business consulting
Class 041. First Use: 1986/00/00 First Use In Commerce: 1986/00/00 All goods and services in the class are cancelled, namely: Training and coaching in the field of strategic planning, effective leadership, personal, individual, and organizational development, group interaction, team development, management skills, and organizational dynamics to improve leadership effectiveness and the function, management, and productivity of organizations, and the distribution of materials in connection therewith

Grounds for Cancellation

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

Attachments	Petition to Cancel.pdf(103063 bytes) Ex_A.pdf(76806 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	/Henry J. Cittone/
Name	Henry J. Cittone
Date	06/06/2013

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

Maxicom Capital Partners, LLC,
Petitioner,

v.

Maxcomm LLC
Registrant.

Cancellation Proceeding No.:

Registration No: 3,564,147

PETITION TO CANCEL

Maxicom Capital Partners, LLC (Petitioner), a New York limited liability corporation with an office at 4 Cornell Drive, Great Neck, NY 11020, believes that it is damaged by Registration No: 3,564,147 for MAXCOMM (“Registrant’s mark”), and hereby petitions to cancel the same. As grounds for cancellation Petitioner asserts that:

1. Petitioner is a business referral network developer which has a bona fide intent to use the mark MAXICOM & Design in interstate commerce for business networking; general business networking referral services, namely, promoting the goods and services of others by passing business leads and referrals among group members; and on-line business networking services and which has filed U.S. Trademark Application No. 85/747,606 for the same.

2. Registrant Maxcomm LLC was, upon information and belief, a Utah limited liability corporation which had offices at 5671 South Redwood Road, Suite 20, Salt Lake City, Utah 84123 which was acquired by Full Circle Group North America LLC, also now having offices 5671 South Redwood Road, Suite 20, Salt Lake City, Utah 84123.

3. Petitioner’s Application No. 85/747,606 was rejected by the USPTO under Section 2(d) for likelihood of confusion with the Registrant’s mark.

First Basis for Cancellation

3. Registrant claims that it began offering business consulting, training and coaching in the field of strategic planning, effective leadership, personal, individual, and organizational development, group interaction, team development, management skills, and organizational dynamics to improve leadership effectiveness and the function, management, and productivity of organizations, and the distribution of materials in connection therewith services under the mark MAXCOMM in 1986.

4. Upon information and belief, Registrant is not currently offering the services in Paragraph 3 under the MAXCOMM trademark and is instead using the mark FULL CIRCLE GROUP as shown by this advertisement directing former Maxcomm LLC customers to the Full Circle Group North America LLC's website. See Exhibit A.

5. Upon information and belief, Registrant intends not to resume bona fide use of the MAXCOMM name in the ordinary course of trade.

6. Registrant has abandoned the MAXCOMM mark.

WHEREFORE, Petitioner prays that Registration No. 3,564,147 be cancelled pursuant to 15 U.S.C. § 1064(3) because the MAXCOMM trademark has been abandoned by Registrant.

Dated: 6/6/2013

Respectfully submitted,

/Henry J. Cittone/_____

Certificate of Service

Pursuant to C.R.F. §2.1 11, I hereby certify that a true and correct copy of the foregoing Petition to Cancel was served, via first class mail, on Registrant Maxcomm LLC at the following address:

Maxcomm LLC/Full Circle Group North America LLC
5671 South Redwood Road, Suite 20
Salt Lake City, Utah 84123

Dated: 6/6/2013

/Henry J. Cittone/_____

[maxcomm](#)

[The Leadership Imperative](#)

[What We Do](#)

[Who We Are](#)

[Contact Us](#)

Maxcomm
is now
Full Circle Group



[please click here to access our new site](#)

Copyright ©2011 Full Circle Group. All rights reserved.