

ESTTA Tracking number: **ESTTA542180**

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	DermaPharma, Inc.		
Entity	Corporation	Citizenship	California
Address	1849 W. Redlands Blvd., Suite 102 Redlands, CA 92373 UNITED STATES		

Attorney information	John Alunit ALUMIT IP 135 South Jackson Street, Suite 200 Glendale, CA 91205 UNITED STATES john@alunitip.com Phone:818-244-4861		
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**Registration Subject to Cancellation**

Registration No	2559175	Registration date	04/09/2002
Registrant	PROCYTE CORPORATION 147 Keystone Drive Montgomeryville, PA 18936 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 005. First Use: 2001/05/29 First Use In Commerce: 2001/05/29 All goods and services in the class are cancelled, namely: medicated skin care preparations, namely, gels for treating acne and oily skin; [ pharmaceutical preparations for the treatment of a variety of conditions, namely, acne, oily skin and other dermatological conditions ]
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**Grounds for Cancellation**

Abandonment	Trademark Act section 14
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Attachments	NEXTDERM - TTAB - Petition to Cancel.pdf(73353 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	/john alunit/
Name	John Alunit

Date	06/06/2013
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark Registration No. 2,559,175  
For the mark NEXTDERM  
Date registered: April 9, 2002

DermaPharma, Inc.	)	
	)	
	)	
Petitioner	)	
	)	
v.	)	Cancellation Proceeding No. _____
	)	
Procyte Corporation	)	
	)	
	)	
Registrant	)	
	)	
	)	

**PETITION TO CANCEL**

Petitioner, DERMAPHARMA, Inc., a California corporation whose address is located at 1849 W. Redlands Blvd., Suite 102 Redlands CALIFORNIA 92373, hereby petitions to cancel registration no. 2,559,175. To the best of petitioner’s knowledge, the name and address of the current owner of the registration is Impulse Procyte Corporation located at 8511-154TH AVENUE NORTHEAST, REDMOND, WASHINGTON 98052-3557.

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:

1. Petitioner filed application no. 85791465 for the mark NEXDERM in connection with “Cosmetic creams for skin care; Cosmetic oils for the epidermis; Cosmetic preparations for skin care; Cosmetics; Lotions for skin;



**PROOF OF SERVICE**

I hereby certify that a true and complete copy of the foregoing **PETITION TO CANCEL** has been served on the following persons, on June 5, 2013, via First Class U.S. Mail, postage prepaid to:

PROCYTE CORPORATION  
147 Keystone Drive Montgomeryville PENNSYLVANIA 18936

And

Maria A. Savio  
GOTTLIEB RACKMAN & REISMAN PC  
270 Madison Avenue, 8th floor  
New York, NY 10016

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Pantep Robroo