

ESTTA Tracking number: **ESTTA561666**

Filing date: **09/26/2013**

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	J Squared, Inc. d/b/a University Loft Co.		
Entity	Corporation	Citizenship	Indiana
Address	2588 Jannetides Boulevard Greenfield, IN 46140 UNITED STATES		

Correspondence information	Amy Wright Attorney for Applicant J Squared, Inc. d/b/a University Loft Co. 2588 Jannetides Boulevard Greenfield, IN 46140 UNITED STATES EFSTTABS@taftlaw.com
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Registration Subject to Cancellation

Registration No	3310001	Registration date	10/09/2007
Registrant	Sico Incorporated 7525 Cahill Road Edina, MN 55439 UNITED STATES		

Goods/Services Subject to Cancellation

Class 020. First Use: 2007/07/03 First Use In Commerce: 2007/07/03 All goods and services in the class are cancelled, namely: Foldable table

Grounds for Cancellation

False suggestion of a connection	Trademark Act section 2(a)
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Marks Cited by Petitioner as Basis for Cancellation

U.S. Application No.	85894395	Application Date	04/03/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GRADUATE SERIES		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 2002/10/01 First Use In Commerce: 2002/10/01		

	Furniture
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U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	GRADUATE SERIES		
Goods/Services	Furniture		

Attachments	GRADUATESERIES.pdf(36157 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	/Amy Wright/
Name	Amy Wright
Date	09/26/2013

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

J Squared, Inc. d/b/a University Loft Co., Petitioner, vs. Sico Incorporated, Defendant.	Cancellation No. _____ Mark: UNDERGRADUATE Reg. No. 3310001
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PETITION TO CANCEL

I. Background

J. Squared, Inc., a corporation organized under the laws of Indiana and having a business address of 2588 Jannetides Boulevard, Greenfield, Indiana 46140, believes that it is damaged by U.S. Registration No. 3,310,001 for the trademark UNDERGRADUATE, registered in connection with *foldable tables* in Class 020, which is owned by Sico Incorporated, 7525 Cahill Road, Edina, Minnesota 55439 (“Defendant’s Registration”).

Accordingly, Plaintiff hereby petitions to cancel the above-identified registration, and states and alleges as follows:

1. Plaintiff is the owner of U.S. Trademark Application Serial No. 85/894395 for the mark GRADUATE SERIES in connection with *furniture* in Class 020 (Plaintiff’s Mark”).
2. Plaintiff’s Mark was used in the United States by Plaintiff prior to the filing date of Defendant’s application.
3. Plaintiff’s Mark was used in the United States by Plaintiff prior to Defendant’s date of first use.

4. Plaintiff's Mark has not been abandoned by Plaintiff.
5. Plaintiff's Mark has been refused registration by an Examining Attorney based upon Defendant's Registration.

WHEREFORE, Plaintiff respectfully requests that U.S. Reg. No. 3,310,001 be cancelled.

TAFT STETTINIUS & HOLLISTER LLP

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