

ESTTA Tracking number: **ESTTA608496**

Filing date: **06/06/2014**

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	Steelcase Inc.		
Entity	Corporation	Citizenship	Michigan
Address	901 - 44th Street SE Grand Rapids, MI 49508 UNITED STATES		

Attorney information	Tsan Abrahamson Cobalt LLP 918 Parker Street Building A21 Berkeley, CA 94710 UNITED STATES trademarks@cobaltlaw.com Phone:510-841-9800		
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Registration Subject to Cancellation

Registration No	4270722	Registration date	01/08/2013
Registrant	Vaughn Michael Lowery 5714 Corbett Street Los Angeles, CA 90016 UNITED STATES		

Goods/Services Subject to Cancellation

Class 016. First Use: 2010/06/01 First Use In Commerce: 2010/11/01 All goods and services in the class are cancelled, namely: General feature magazine in the field of fashion, culture
Class 041. First Use: 2009/11/01 First Use In Commerce: 2009/11/01 All goods and services in the class are cancelled, namely: Providing on-line magazines in the field of fashion, culture

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	86161334	Application Date	01/09/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	360		

Design Mark	<h1>360</h1>
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2001/06/00 First Use In Commerce: 2001/06/00 Online interactive magazine and social media site focused on workplace re- search, insights, and trends in the work environment

Attachments	86161334#TMSN.jpeg(bytes) 360 Cancellation Notice_1.pdf(225947 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	/Tsan Abrahamson/
Name	Tsan Abrahamson
Date	06/06/2014

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

In the matter of Trademark Registration

Reg. No.: 4270722
Registered: January 8, 2013
By: Vaughn Michael Lowery
For the Trademark: 360 (Stylized)

Steelcase Inc.,

Petitioner,

v.

Vaughn Michael Lowery

Respondent.

Cancellation No.

PETITION TO CANCEL

Steelcase Inc. (“Steelcase” and “Petitioner”) believes that it will be damaged by the continued registration of the 360 mark for “General feature magazine in the field of fashion, culture,” and “Providing on-line magazines in the field of fashion, culture” as listed in Registration No. 4270722 (“Cited Registration”), and hereby petitions to cancel the same. As grounds for its cancellation, Steelcase alleges as follows:

I. PARTIES

1. Steelcase Inc. is a Michigan corporation, with its principal place of business at 901 – 44th Street SE, Grand Rapids, Michigan, 49508-7575, United States.

2. On information and belief, Registrant is an individual located at 5714 Corbett Street Los Angeles CA 90016, United States (“Respondent”).

3. On information and belief, Registrant’s first use date for its Cited Registration is November 1, 2009.

II. PETITIONER’S APPLICATION

4. Petitioner seeks registration of 360 for its “online interactive magazine and social media site focused on workplace research, insights, and trends in the work environment,” and filed a trademark application on January 9, 2014 to register the mark (the “Application”). The Application was assigned the Serial Number 86/161,334.

5. Petitioner has been using the mark 360 in interstate commerce throughout the United States since at least as early as June 2001 for its online magazine.

6. On or about March 12, 2014, the U.S. Patent and Trademark Office issued a non-final office action identifying the Cited Registration as being confusingly similar to Petitioner’s Application, and thus impeding Petitioner’s ability to procure a federal registration for its trademark.

III. GROUNDS FOR CANCELLATION

A. SENIOR RIGHTS

Petitioner hereby incorporates by reference paragraphs 1 through 8 above as though fully set forth herein.

7. Upon information and belief Petitioner has rights senior to Respondent's rights in the mark 360, by a factor of at least 8 years.

8. Petitioner believes that it is and will be damaged by the continued registration of Registrants mark 360 and, given its senior rights in the mark Petitioner prays that Registration No. 4270722 be cancelled. The Petition to Cancel fee in the sum of \$600.00, pursuant to 37 C.F.R. §2.6(a)(16), has been electronically tendered from the Cobalt LLP deposit account, No. 503214.

Respectfully Submitted,

COBALT LLP

Date: June 6, 2014

By: */s/ Tsan Abrahamson*

Tsan Abrahamson
Vijay Toke

Attorneys for Petitioner

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 6th day of June 2014, a true and correct copy of the foregoing Petition to Cancel was deposited in a U.S. Mailbox to be served upon Respondent by U.S. First Class Mail in an envelope, postage pre-paid, addressed as follows:

Mr. Vaughn Lowery
5714 Corbett Street
Los Angeles CA 90016



NAME: LUZ GONZALEZ