

ESTTA Tracking number: **ESTTA640680**

Filing date: **11/23/2014**

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	Feengo, Inc.		
Entity	Corporation	Citizenship	New York
Address	136-18 244th Street 11422 Rosedale, NY 11422 UNITED STATES		

Attorney information	Elizabeth Oliner Oliner Law 345 Grove Street, 2nd Floor San Francisco, CA 94102 UNITED STATES liz@olinerlaw.com Phone:650 549 5298
----------------------	---

Registration Subject to Cancellation

Registration No	3728844	Registration date	12/22/2009
Registrant	AMSOFT SYSTEMS PRIVATE LIMITED UNITECH TRADE CENTER GURGAON, HARYANA, 122001 INDIA		

Goods/Services Subject to Cancellation

<p>Class 009. First Use: 2006/09/06 First Use In Commerce: 2007/02/17 All goods and services in the class are cancelled, namely: Communications software for connecting global computer networks; Computer application software for mobile phones; Computer communications software to allow customers to access bank account information and transact bank business; Computer e-commerce software to allow users to perform electronic business transactions via a global computer network; Computer hardware and software used for the control of voice controlled information and communication devices; Computer software for controlling and managing access server applications; Computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Computer software for use in the encryption and decryption of digital files, including audio, video, text, binary, still images, graphics and multimedia files; Computer software for use in the safeguarding of digital files, including audio, video, text, binary, still images, graphics and multimedia files; Computer software, namely, software development tools for the creation of mobile internet applications and client interfaces; Computer telephony software</p>
<p>Class 042. First Use: 2006/09/06 First Use In Commerce: 2007/02/17 All goods and services in the class are cancelled, namely: Computer security service, namely, restricting access to and by computer networks to and of undesired web sites, media and individuals and facilities; Computer service, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer service, namely, acting as an application service provider in the field of knowledge management to host computer application software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information; Computer ser-</p>

vices, namely, filtering of unwanted e-mails; Computer services, namely, redirecting electronic mail to changed personal electronic address

Grounds for Cancellation

Abandonment

Trademark Act section 14

Attachments

FEENGO-EE CANCELLATION- 11.23.14.pdf(96225 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	/EO/
Name	Elizabeth Oliner
Date	11/23/2014

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

In the Matter of Registration Number: 3,728,844

Feengo, Inc.
Petitioner,

Cancellation No.

Registration No. 3,728,844

Mark: EE (+ design)

v.

Amsoft Systems Private Limited
Registrant

PETITION TO CANCEL

Feengo, Inc (“Petitioner”), a New York Corporation, believes that it is, or will be damaged by the continued registration of U.S. Trademark Registration No. 3,728,844 for EE (+ design) (the “Registration” or “Mark”), granted to Amsoft Systems Private Limited (“Registrant”) and therefore files this petition for cancellation of this Registration of Amsoft Systems Private Limited in international trademark classes 009 and 042.

As grounds for the cancellation, Petitioners, it is alleged that:

1. Petitioner is a New York corporation that provides various social networking software services.
2. On February 12, 2014, Petitioner filed an application for registration of the mark EE (+ design), namely, USPTO Serial No. 86/192,340 in international trademark classes 9 and 42.

3. On May 22, 2014, the United States Patent and Trademark Office (“USPTO”) issued an Office Action, which stated that Petitioner’s EE (+ design) mark in is confusingly similar to Registrant’s EE (+ design) registration, U.S. Reg. No. 3,728,844, and the examiner at the USPTO refused registration of the Applicant’s Mark under Trademark Act Section 2(d).
4. Registrant is listed in the USPTO Trademark Status and Document Retrieval database as the current owner of the Registration as an Indonesian Company with an address in India.
5. Upon information and belief, Registrant is not presently using the Mark in interstate commerce within the US.
6. Registrant’s nonuse of the Mark in interstate commerce has resulted in abandonment of the Mark within the meaning of 15 U.S.C. §§ 1064(3) and 1127.
7. Based on the foregoing, the continued registration of the Mark depicted in Registration No 3,728,844 on the Principal Register of the United States Patent and Trademark Office for the goods listed in International Trademark Classes 9 and 42, will cause injury and damage to Petitioner.

WHEREFORE, Petitioner requests that Registration No. 3,728,844 for the mark EE (+ design) in international trademark classes 9 and 42 be cancelled and that this Petition for Cancellation be sustained in favor of the Petitioner.

Respectfully submitted,

Signature: /Elizabeth Oliner/

Dated: 11/23/2014

Elizabeth Oliner
Oliner Law
345 Grove Street, 2nd Floor
San Francisco, CA 94102
liz@olinerlaw.com
Attorney for Petitioner

Certificate of Mailing and Service

The Attorney for the Petitioner certifies that on November 23, 2014, the foregoing is being served by a copy thereof by certified mail to the Registrant at the following address:

AMSOFT SYSTEMS PRIVATE LIMITED
UNITECH TRADE CENTER
GURGAON, HARYANA 122001
INDIA

Signed,
/Elizabeth Oliner/