

ESTTA Tracking number: **ESTTA641878**

Filing date: **12/01/2014**

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	JSL S.A.		
Entity	limited company	Citizenship	Brazil
Address	Avenida Anglica, 2346, parte B do escritorio 161-Consolacao 012 Sao Paulo, BRAZIL		

Attorney information	Robert J. Kenney Birch Stewart Kolasch & Birch, LLP 8110 Gatehouse Rd., Suite 100E Falls Church, VA 22042 UNITED STATES mailroom@bskb.com, rjk@bskb.com, msmith@bskb.com, tiffany.johnson@bskb.com Phone:7032058000
----------------------	---

Registration Subject to Cancellation

Registration No	4370380	Registration date	07/23/2013
International Registration No.	NONE	International Registration Date	NONE
Registrant	SEMBCORP MARINE LIMITED 29 TANJONG KLING ROAD SINGAPORE		

Goods/Services Subject to Cancellation

Class 039. First Use: 0 First Use In Commerce: 0 All goods and services in the class are cancelled, namely: Sea transport; transport brokerage; transportation information; Packaging articles for transportation; storage of goods; marine towing; provision of tug boat services and marine towage; heavy lifting, hoisting and crange services for loading and unloading purposes; harbor craneunloading; marine lifting services using floating cranes; marine transport, lighterage; hire or rental of ships or vessels, rental of storage containers; shipbrokerage; information advisory and consultancy services relating to the aforesaid

Grounds for Cancellation

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

Attachments	2014-11-28 FINAL Petition to Cancel.pdf(170574 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	/Robert J. Kenney/
Name	Robert J. Kenney
Date	12/01/2014

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

IN THE MATTER OF
U.S. Trademark Reg. No.: 4,370,380

JSL S.A.,

Petitioner,

v.

SEMBCORP MARINE LIMITED,

Registrant.

Cancellation No. [not yet assigned]

PETITION TO CANCEL

JSL S.A. hereby petitions to cancel U.S. Trademark Registration No. 4,370,380 for the mark JSL (plus design) (“the ‘380 registration”) on the following grounds:

1. JSL S.A. is a limited company organized and existing under the laws of Brazil and having a place of business at Avenida Anglica, 2346, parte B do escritorio 161-Consolacao 01228-200 Sao Paulo, Brazil.

2. According to the records of the USPTO, the current owner of U.S. Trademark Registration No. 4,370,380 is Sembcorp Marine Limited, having an address at 29 Tanjong Kling Road, Singapore 628054.

3. Petitioner is actively engaged in supply chain dedicated services, including, but not limited to, cargo transportation and passenger transportation, outsourced fleet management and vehicle commercialization and car rental.

4. Petitioner is the owner of U.S. Trademark Application Serial No. 85/810,702 for the trademark JSL (plus design) (“the ‘702 application”), filed on December 26, 2012, and alleges a

bona fide intention to use the mark in commerce under Section 1(b) of the Lanham Act. The mark in the '702 application has been refused registration because of a likelihood of confusion with Registrant's JSL (plus design) mark in the '380 registration. Petitioner is, and shall continue to be, harmed by registration of the JSL (plus design) mark for use with the class 39 services in the '380 registration.

5. On information and belief, for at least the last three years preceding the filing of this petition, Registrant ceased using the JSL (plus design) mark in the '380 registration in connection with at least the class 39 services identified therein and intends not to resume such use.

6. As a result of its non-use of the JSL (plus design) mark in connection with the class 39 services identified in the '380 registration with an intention not to resume use, Registrant has abandoned the JSL (plus design) mark with respect to those services within the meaning of 15 U.S.C. § 1127.

WHEREFORE, Petitioner prays that the Trademark Trial and Appeal Board grant its petition and cancel all of the services in class 39 from U.S. Trademark Registration Nos. 4,370,380.

The Commissioner is requested to debit the deposit account of Birch, Stewart, Kolasch & Birch, LLP (deposit account no. 02-2448) \$300 for the Opposition filing fee and for any other amount required for the filing of this Notice of Opposition.

Date: December 1, 2014

Respectfully submitted,

/Robert J. Kenney/

Robert J. Kenney
Michael T. Smith
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd., Suite 100E
Falls Church, VA 22042
(703) 205-8000
Attorneys for Petitioner

CERTIFICATE OF SERVICE

This is to certify that on this 1st day of December 2014, a true copy of the foregoing **PETITION TO CANCEL** is being served, by first class mail, postage prepaid, to the owner of record of U.S. Trademark Registration No. 4,370,380 at the address for the party identified as “Current Owner” in the USPTO TSDR database:

Sembcorp Marine Limited
29 Tanjong Kling Road
Singapore 628054

With a copy by first class mail, postage prepaid, to the listed attorney of record:

Grace Han Stanton
Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101

/Michael T. Smith
Michael T. Smith