

ESTTA Tracking number: **ESTTA654892**

Filing date: **02/09/2015**

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	Chocolate Pkg. & Mfg. Corp.		
Entity	Corporation	Citizenship	Utah
Address	1239 Swaner Road Salt Lake City, UT 84104 UNITED STATES		

Attorney information	Krista Weber Powell TRASKBritt, P.C. 230 South 500 East, #300 Salt Lake City, UT 84102 UNITED STATES kwpowell@traskbritt.com, hdburton@traskbritt.com, lmondragon@traskbritt.com, dcromero@traskbritt.com Phone:801-532-1922		
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Registration Subject to Cancellation

Registration No	3814581	Registration date	07/06/2010
International Registration No.	NONE	International Registration Date	NONE
Registrant	TUFAKO ENTERPRISES LIMITED Zinas Kanther 16 CYPRUS		

Goods/Services Subject to Cancellation

Class 029. First Use: 0 First Use In Commerce: 0 All goods and services in the class are cancelled, namely: Meat, fish, poultry and game; meat extracts; jellies, jams, compotes; eggs; edible oils and fats, olive oil; soups
Class 030. First Use: 0 First Use In Commerce: 0 All goods and services in the class are cancelled, namely: Coffee, cocoa, sugar, rice, tapioca, sago, artificial coffee; bread, pastry and confectionery, namely, pastilles made out of chocolate, fondants, fruit jellies; ices; honey, treacle, yeast, baking powder; salt, mustard; vinegar (including balsamic), sauces (condiments), namely, tomato sauces, pasta sauces, walnut sauces; spices; ice; sweets; candy; chocolate; biscuits; pasta

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	15-02-09 - Cancellation (017).pdf(514279 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 Overnight Courier on this date.

Signature	/KristaWeberPowell/
Name	Krista Weber Powell
Date	02/09/2015

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

<p>CHOCOLATE PKG. & MFG. CORP.</p> <p>Petitioner,</p> <p>v.</p> <p>TUFAKO ENTERPRISES, LTD.</p> <p>Registrant.</p>	<p>Cancellation No. (_____)</p> <p>Mark: ALISEO</p> <p>Int'l Class: 029, 030</p> <p>Registration No: 3,814,581</p>
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PETITION FOR CANCELLATION

Petitioner, Chocolate Pkg. & Mfg. Corp. (“Chocolate Pkg.”) is a corporation organized and existing under the laws of the State of Utah, with its principal place of business located at 1239 Swaner Road, Salt Lake City, Utah 84104. Chocolate Pkg. believes that it will be damaged by the continued registration of the mark Registration No. 3,814,581 (the “subject mark”) of Tufako Enterprises, Ltd. (“Registrant”) and hereby seeks cancellation of the same.

As grounds for the present cancellation, Chocolate Pkg. alleges, upon actual knowledge with respect to itself and its own acts, and upon information and belief as to other matters, as follows:

1. Chocolate Pkg. is the owner of U.S. Trademark Application No. 86/380,037 for TRADEWINDS COLLECTION in IC 030 filed August 28, 2014.
2. The Examining Attorney responsible for Chocolate Pkg.’s pending application has cited the subject mark (which translates as “trade wind”) as the grounds for refusing to

register Chocolate Pkg.'s TRADEWINDS COLLECTION mark under Section 2(d) of the Trademark Act.

3. Upon information and belief, Registrant no longer uses the subject mark in commerce and therefore its registration is subject to cancellation.

4. Upon information and belief, Registrant has not used the subject mark in commerce for more than three years.

5. Upon information and belief, Registrant has abandoned Registration No. 3,814,581 pursuant to 15 USC 1064(3).

6. Based on the foregoing, Chocolate Pkg. believes that it is or will be damaged by the continued registration of the Registrant's ALISEO mark in the United States Patent and Trademark Office.

ACCORDINGLY, Chocolate Pkg. prays that the Registration No. 3,814,581 be canceled and that this Petition for Cancellation be sustained in favor of Chocolate Pkg.

DATED this 9th day of February, 2015.

TRASKBRITT, P.C.
Attorneys for Chocolate Pkg. & Mfg. Corp.

/Krista Weber Powell/
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 9th day of February, 2015, I electronically filed the foregoing Notice of Cancellation with the United States Patent & Trademark Office Trademark Trial & Appeal Board. A copy of the foregoing was sent via FEDERAL EXPRESS to the following:

TUFAKO ENTERPRISES LIMITED
Zinas Kanther 16
Karantoki Building, 7th Floor, Flat/Office 25-26
CY-1065 Nicosia
CYPRUS

/Krista Weber Powell/