

ESTTA Tracking number: **ESTTA670232**

Filing date: **05/01/2015**

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	Aruba Networks, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	1344 Crossman Avenue Sunnyvale, CA 94089 UNITED STATES		

Attorney information	Lori S. Kozak Blakely Sokoloff Taylor & Zafman LLP 12400 Wilshire Blvd. 7th Floor Los Angeles, CA 90025 UNITED STATES lori_kozak@bstz.com, garbo_tat@bstz.com, bstz_mail@bstz.com Phone:310.207.3800		
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### Registration Subject to Cancellation

Registration No	1974014	Registration date	05/14/1996
Registrant	MITAC INTERNATIONAL CORP. HSINCHU SCIENCE-BASED INDUSTRIAL PARK HSINCHU HSIEN, TAIWAN		

### Goods/Services Subject to Cancellation

Class 009. First Use: 1993/10/26 First Use In Commerce: 1993/10/26 All goods and services in the class are cancelled, namely: electronic navigation equipment, namely Global Positioning System navigation receivers
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### Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Petition for Cancellation Aruba Mitac.pdf(119936 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	/Lori S. Kozak/
Name	Lori S. Kozak

Date	05/01/2015
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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<u>ARUBA NETWORKS, INC.</u>	)	
	)	Cancellation No.: _____
Petitioner	)	
	)	
v.	)	U.S. Reg. No.: <b>1,974,014</b>
	)	
<u>MITAC INTERNATIONAL CORP.</u>	)	
	)	Mark: MERIDIAN
Registrant	)	
	)	

PETITION FOR CANCELLATION

Petitioner believes that it will be damaged by Registration No. 1,974,014 and hereby petitions for cancellation of such registration under 37 C.F.R. § 2.111(b).

As grounds therefor, it is alleged that:

1. Petitioner, Aruba Networks, Inc., a corporation organized under the laws of Delaware, having a principal place of business at 1344 Crossman Avenue, Sunnyvale, California 94089, has a bona fide intention to adopt and use the mark MERIDIAN for “computer software for determining a current location of a device, providing instructions to navigate to a stationary or moving target, and/or providing instructions to navigate to a location” in Class 9.

2. Petitioner has filed an application for registration of the mark MERIDIAN in connection with the above-identified goods. Petitioner’s above-mentioned application was filed on July 21, 2014 and assigned Serial No. 86/342,856 (hereinafter “Petitioner’s Application”). Said application is currently pending before the U.S. Patent & Trademark Office.

3. Upon information and belief, Registrant is a Taiwanese corporation having a principal place of business at Taiwan Hsinchu Science-Based Industrial Park 1, R&D Road, 2 Hsinchu Hsien, Taiwan and is the owner of Registration No. 1,974,014 for the mark MERIDIAN in connection with “electronic navigation equipment, namely, Global Positioning System navigation receivers” in International Class 39, which issued on May 14, 1996 and was last renewed in 2006 (the “Registration”).

4. Petitioner is damaged by the continuance of the Registration in the Petitioner’s Application has been refused registration by the U.S. Patent & Trademark Office, which has alleged a likelihood of confusion between Petitioner’s mark and the mark in the Registration.

5. Upon information and belief, Registrant no longer uses the mark MERIDIAN for the goods identified in the Registration, has not used the mark for such goods for at least five or more years, and has no intention to resume use of the mark for such goods.

6. Respondent is not using the mark shown in the Registration for the goods identified in the Registration, and it should therefore also be cancelled on grounds of non-use in commerce.

7. To the extent Registrant may have used the mark shown in the Registration at one time, Respondent does not have any bona fide intention to resume use of the mark for the goods identified in the Registration. The mark has been abandoned by Respondent and should be cancelled under Section 14 of the Lanham Act.

8. If Registrant is permitted to retain the registration sought to be cancelled, thereby retaining the prima facie exclusive right to use the mark MERIDIAN in commerce for “electronic

navigation equipment, namely, Global Positioning System navigation receivers," Petitioner will be precluded from registering its mark MERIDIAN and will be denied the benefits therefrom.

WHEREFORE, the Petitioner prays that this petition for cancellation be granted and that Registration No. 1,974,014 be cancelled.

Proof of service of this Petition for Cancellation is attached.

This Petition for Cancellation is submitted electronically together with an electronic payment in the amount of \$300, the filing fee for one (1) class. The United States Patent & Trademark Office is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-2666.

ARUBA NETWORKS, INC.

Dated: 5/1/2015

By:   
Lori Kozak  
Pete Bromaghim  
Attorneys for Petitioner

BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025  
(310) 207-3800

PROOF OF SERVICE

I, Garbo Tat, hereby declare that I am employed by the law firm of BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, 12400 Wilshire Boulevard, Seventh Floor, Los Angeles, California 90025-1040; that I am over 18 years of age and not a party to the within action; and that I served the following document: PETITION FOR CANCELLATION, this 1st day of May, 2015, by causing a true copy to be deposited in the United States Mail, first class postage prepaid to Applicant at the following address:

Mitac International Corp.  
Hsinchu Science-Based Industrial Park 1  
R&D Road 2  
Hsinchu Hsien  
TAIWAN

Lawrence Abelman  
ABELMAN FRAYNE & SCHWAB  
666 Third Avenue  
New York, New York 10017-5612

Date: \_\_\_\_\_

5/1/2015

Name: Garbo Tat \_\_\_\_\_

