

ESTTA Tracking number: **ESTTA670277**

Filing date: **05/03/2015**

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	Neil Kursan		
Entity	Individual	Citizenship	CANADA
Address	3054 West 2nd Ave. Vancouver, BC V6K1K4 CANADA		

Attorney information	Joshua M. Gerben, Esq. Gerben Law Firm, PLLC 1050 Connecticut Ave NW 10th Floor Washington, DC 20036 UNITED STATES jgerben@gerbenlawfirm.com Phone:202-294-2287		
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### Registration Subject to Cancellation

Registration No	4575048	Registration date	07/29/2014
Registrant	Pristine Corporate Network Inc #120 ANAHEIM, CA 92807 UNITED STATES		

### Goods/Services Subject to Cancellation

Class 035. First Use: 2012/04/04 First Use In Commerce: 2012/04/04 All goods and services in the class are cancelled, namely: Business consulting and information services; Business management; Business networking
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### Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	PRISTINE Labour_Petition to Cancel 4575048_May 3 2015.pdf(217511 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	/Joshua M. Gerben/
Name	Joshua M. Gerben, Esq.
Date	05/03/2015





December 22, 2014 for “employment agency services” based on its Canadian Applications for the respective marks under Section 44(d) of the Lanham Act, with a priority date of November 18, 2014.

5. On April 8, 2015, a USPTO Trademark Examining Attorney issued § 2(d) refusals of Petitioner’s Applications based on a likelihood of confusion with the Registered Mark.

**ABANDONMENT BASED ON NON-USE**

6. On information and belief, Registrant has abandoned the Registered Mark in connection with the Registrant’s Goods in interstate commerce.

7. On information and belief, Registrant has no bona fide intent to resume use of the Registered Mark in connection with the Registrant’s Goods in interstate commerce.

8. On information and belief, in August 2014, Registrant sent letters to its clients informing them that Registrant had gone out of business and that Registrant was transferring all active mortgage modification cases to another company, thereby expressly abandoning its rights in the Registered Mark.

9. On information and belief, Respondent has abandoned the Registered Mark within the meaning of Section 45 of the Lanham Act, 15 U.S.C. § 1127.

10. Because Registrant’s registration gives it at least a *prima facie* exclusive right in the Registered Mark, Petitioner maintains that its legal use and registration of the PRISTINE LABOUR and PRISTINE LABOUR INC. and Design marks will be impaired by continued registration of Registrant’s mark.

11. In fact, on April 8, 2015, a USPTO Trademark Examining Attorney issued § 2(d) refusals of Petitioner's Applications because the Trademark Examining Attorney was concerned that the Registered Mark and Petitioner's, in co-existing, could cause in the marketplace.

12. In view of the above, the Registered Mark is not entitled to continued federal registration, as Registrant has abandoned all use of the mark and has no intent to resume use of the mark.

13. By reason of all of the foregoing, Petitioner will be gravely damaged by the continuance of Registrant's registration.

**WHEREFORE**, Petitioner is damaged by U.S. Registration No. 4,575,048 and prays that the same be canceled immediately, and that this Petition for Cancellation be sustained in favor of Petitioner.

Respectfully submitted,

Dated: May 3, 2015



Joshua M. Gerben, Esq.  
Eric J. Perrott, Esq.  
Attorneys for Petitioner  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 3, 2015, a true and correct copy of the foregoing Petition to Cancel is being served by overnight mail on Registrant as shown in the correspondence record in the Office, as follows:

PRISTINE CORPORATE NETWORK INC  
950 N TUSTIN AVE #120  
ANAHEIM, CALIFORNIA 92807  
UNITED STATES

Respectfully submitted,



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Dated: May 3, 2015