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Filing date: **08/20/2015**

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 parties request to cancel indicated registration.

Petitioner Information

Name	Justin Smolev		
Entity	Individual	Citizenship	UNITED STATES
Address	919 Carter Drive Atlanta, GA 30319 UNITED STATES		

Name	Chris Rork		
Entity	Individual	Citizenship	UNITED STATES
Address	170 Boulevard SE Atlanta, GA 30312 UNITED STATES		

Attorney information	George W. Lewis Westerman, Hattori, Daniels & Adrian, LLP 1250 Connecticut Ave., NW Suite 700 Washington, DC 20036 UNITED STATES trademarkmail@whda.com, glewis@whda.com, tjeffery@whda.com Phone:202.822.1100		
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Registration Subject to Cancellation

Registration No	3411641	Registration date	04/15/2008
Registrant	Dressed Holdings, LLC Suite 240 Atlanta, GA 30309 UNITED STATES		

Goods/Services Subject to Cancellation

Class 043. First Use: 2006/11/06 First Use In Commerce: 2006/11/06
All goods and services in the class are cancelled, namely: Restaurant services

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	155007TMOPP Petition for Cancellation.pdf(771591 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	/george lewis/
Name	George W. Lewis
Date	08/20/2015

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

Justin Smolev and Chris Rork)	
)	
Petitioner,)	
)	
v.)	Cancellation No. _____
)	U.S. Reg. No. 3411641
Dressed Holdings, LLC)	Issued: April 15, 2008
)	Mark: DRESSED SALADS WITH STYLE
Registrant.)	
)	

PETITION FOR CANCELLATION

Petitioners Justin Smolev, an individual and citizen of the United States residing at 919 Carter Dr. Atlanta GEORGIA 30319 and Chris Rork an individual and citizen of the United States residing at 170 Boulevard SE Atlanta GEORGIA 30312, (hereinafter "Petitioners") believe that they are or will be damaged by Registration No. 3411641 issued on the Principal Register on April 15, 2008 for the trademark DRESSED SALADS WITH STYLE for "Restaurant services" in International Class 43; and hereby petitions to cancel the same.

The grounds for this Petition are as follows:

1. Petitioners have adopted and used in interstate commerce the mark DRESSED as a trademark and service mark.
2. On January 9, 2015, Petitioner filed an application under Section 1(a) of the Trademark Act for registration of the DRESSED mark for "restaurant services specializing in assorted and custom made salads including sit-down service of food and take-out restaurant service" in International Class 43. Said application was assigned Serial No. 86499699.
3. An Office Action issued by the United States Patent and Trademark Office on April 15, 2015, refusing registration of Petitioner's DRESSED mark based upon a citation to Registrant's U.S. Registration No. 3411641.

4. Upon information and belief, Registrant has ceased all business operations and no longer renders restaurant services.

5. Upon information and belief, Registrant has abandoned the mark of Registration No. 3411641 by discontinuing the use of said mark with no intent to resume said use.

6. Petitioner is likely to be damaged by the continuance of said registration, since Petitioner's application for the DRESSED mark has been refused registration under Section 2(d) of the Trademark Act based upon a citation to Registrant's Registration No. 3411641 and Petitioner's legal use of said mark will be impaired by the continued registration of said abandoned mark of Registrant.

7. By virtue of the foregoing, if Registration No. 3411641 is permitted to remain on the Principal Register, with all the presumptions conferred by its status as a Principal registration, Petitioner will continue to be subjected to great and irreparable damage and Registrant will enjoy unlawful gain and advantage to which it is not entitled under the Trademark Act of 1946.

WHEREFORE, Petitioner requests that this Petition be granted and that Registration No. 3411641 be cancelled.

Respectfully submitted,

Justin Smolev and Chris Rork

Date: August 20, 2015

By: _____

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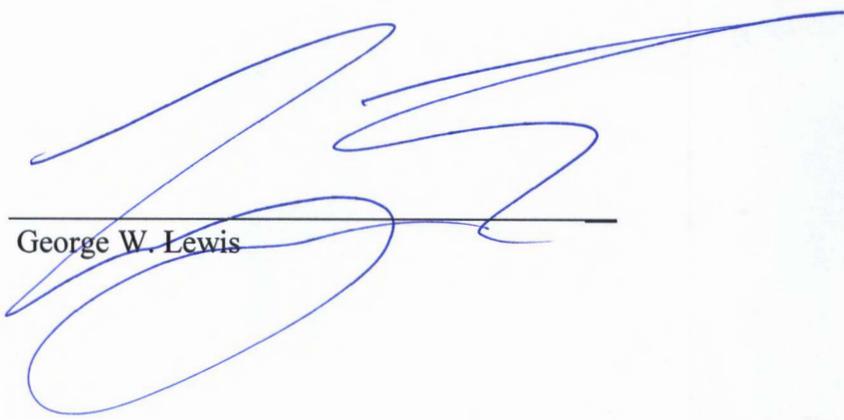
Its Attorneys

Atty. Dkt. No.: 155007TMOPP

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition for Cancellation was served upon Registrant by first-class U.S. mail, postage prepaid, on this 20th day of August 2015, at the following address:

Dressed Holdings, LLC
Suite 240 950 W. Peachtree Street
Atlanta GEORGIA 30309



George W. Lewis