

ESTTA Tracking number: **ESTTA700115**

Filing date: **10/05/2015**

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	Mogol Corporation		
Entity	Corporation	Citizenship	Nevada
Address	9665 Wilshire Blvd. c/o Weintraub Tobin Beverly Hills, CA 90212 UNITED STATES		

Attorney information	Scott Hervey Weintraub Tobin 9665 Wilshire Blvd. Beverly Hills, CA 90212 UNITED STATES scott.hervey@weintraub.com Phone:3108603304		
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Registration Subject to Cancellation

Registration No	3891632	Registration date	12/21/2010
Registrant	Mogul Entertainment, Inc. 14652 Mansfield St., Apt. #1 Detroit, MI 48227 UNITED STATES		

Goods/Services Subject to Cancellation

Class 009. First Use: 2003/10/02 First Use In Commerce: 2003/10/02 All goods and services in the class are cancelled, namely: Musical sound recordings and audio-visual recordings featuring pre-recorded music recorded on compact discs, tape cassettes, vinyl records, digital downloads, CD-ROMs, VHS videotapes, DVDs and laser discs; movies, namely, motion picture films about music; video games, namely, video game software, video game cartridges, video game tape cassettes, video game discs, video game machines for use with televisions, interactive video game programs; downloadable video game software; downloadable videos and sound recordings featuring music
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Grounds for Cancellation

<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Abandonment	Trademark Act section 14

Attachments	Petition to Cancel (00030704xCB71D).pdf(21317 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	/smh/
Name	Scott Hervey
Date	10/05/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Mogol Corporation)	
Petitioner,)	
)	
v.)	Cancellation No.:
)	
Mogul Entertainment)	
)	PETITION TO CANCEL
Registration No. 38701632)	
Registrant.)	
_____)	

Mogol Corporation, Inc. (“Petitioner”) a Nevada Corporation, as grounds for the Petition to Cancel alleges that:

1. Registrant is the owner of the Trademark Registration No. 3891632, covering Musical sound recordings and audio-visual recordings featuring pre-recorded music recorded on compact discs, tape cassettes, vinyl records, digital downloads, CD-ROMs, VHS videotapes, DVDs and laser discs; movies, namely, motion picture films about music; video games, namely, video game software, video game cartridges, video game tape cassettes, video game discs, video game machines for use with televisions, interactive video game programs; downloadable video game software; downloadable videos and sound recordings featuring music”. (**“Registered Mark”**)

3. On information and belief, Registrant has ceased use of and abandoned the Registered Mark for the services stated in the registration and has no true intention to resume such use. Thus the subject registration should be canceled.

4. If the Registered Mark is still in use for some but not all goods set forth in the registration, the Registered Mark should be canceled in part.

5. On information and belief, Registrant has committed fraud in connection with the procurement of the registration of the Registered Mark in that Registration has made fraudulent averments of the use in commerce in connection with certain goods set forth in the registration.

6. Petitioner has applied to register Serial No 86273401 for the mark MOGUL. Based on such application, Petitioner will be damaged by the existence of Registration No 3891632 on the Principal Register. Petitioner has standing to bring the instant action.

