

ESTTA Tracking number: **ESTTA709419**

Filing date: **11/18/2015**

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	Strategem		
Entity	Soci�t� par actions simplifi�e	Citizenship	France
Address	3 rue du Roule Paris, F-75001 FRANCE		

Attorney information	Jess M. Collen Collen IP, Intellectual Property Law, P.C. The Holyoke-Manhattan Building 80 South Highland Avenue Ossining, NY 10562 UNITED STATES ogelber@collenip.com, docket@collenip.com Phone:(914) 941-5668		
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Registration Subject to Cancellation

Registration No	3127134	Registration date	08/08/2006
International Registration No.	NONE	International Registration Date	NONE
Registrant	CRESCI DUCCIO Via Puccinotti, 77 ITALY		

Goods/Services Subject to Cancellation

Class 003. First Use: 0 First Use In Commerce: 0 All goods and services in the class are cancelled, namely: Bath soaps in liquid, solid or gel form, hand soaps, cosmetic soaps, liquid soaps for hands, face and body, perfumed soaps; perfumery; aromatherapy oils, essential oils as perfume for laundry purposes, essential oils for personal use, essential oils for use in the manufacture of scented products, scented oils used to produce aromas when heated; hair cleaning preparations, hair balsam and care lotions; dentifrices; deodorants for personal use; skin cleansing lotions and creams

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	R1204 Petition for Cancellation.pdf(114250 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	/Oren Gelber/
Name	Oren Gelber
Date	11/18/2015

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

Registrant : Cresci, Duccio
Registration No. : 3,127,134
Mark : EXPERIMENTA
Registered: : August 8, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
Box TTAB – Fee
P.O. Box 1451
Alexandria, VA 22313-1451

PETITION FOR CANCELLATION

The Petitioner, Strategem, a corporation organized under the laws of France, located at 3 rue du Roule, F-75001 Paris, France believes that it would be damaged by the continued registration of the above-identified mark, and hereby petitions to cancel such registration, pursuant to 15 U.S.C. § 1064 and 37 C.F.R. § 2.111.

As grounds for its Petition for Cancellation, Petitioner alleges that:

1. On January 14, 2015, Petitioner requested an extension of protection to the United States for its International Trademark Registration No. 1247004 for the EXPERIMENTS (stylized) mark pursuant to section 66(a) of the Trademark Act, 15 U.S.C. § 1141e, resulting in U.S. Trademark Application Serial No. 79/165,180.

2. Petitioner's Application Serial No. 79/165,180 recites "Perfumery products;

perfumes; toilet water; perfumed water; deodorants (perfumery),” in International Class 003 and “Retail sale of perfumery products, perfumes, toilet water, scented water, deodorants (perfumery),” in International Class 035.

3. Petitioner’s Application Serial No. 79/165,180 for the EXPERIMENTS (stylized) mark has been refused registration due to the Registrant’s U.S. Registration No. 3,127,134 for the mark EXPERIMENTA.

4. On information and belief, Registrant never used the EXPERIMENTA mark in U.S. commerce in connection with the Class 003 goods identified in its registration.

5. On information and belief, Registrant has discontinued use of the EXPERIMENTA mark in U.S. commerce in connection with the Class 003 goods identified in its registration.

6. On information and belief, Registrant does not currently use the EXPERIMENTA as a trademark in U.S. commerce on the Class 003 goods identified in its registration.

7. Registrant has abandoned its rights in the mark EXPERIMENTA.

8. On information and belief, Registrant has not used its EXPERIMENTA mark in the U.S. on the Class 003 goods identified in its registration for a period of three or more years.

9. On information and belief, Registrant does not intend to resume use in the U.S. of the EXPERIMENTA mark on the Class 003 goods identified in its registration.

10. Petitioner is harmed by the continued registration of Registrant's EXPERIMENTA mark in the Class 003.

WHEREFORE, Petitioner respectfully requests that Registration No. 3,127,134 be cancelled and that this proceeding be sustained in favor of Petitioner.

Respectfully submitted,

Date: November 18, 2015

By: Oren Gelber
Jess M. Collen
Oren Gelber
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Attorneys for Petitioner Strategem

Enclosure: Filing fee, one class: \$300.

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 03-2465.

I HEREBY CERTIFY THAT THIS PETITION FOR CANCELLATION IS BEING FILED ELECTRONICALLY WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Oren Gelber November 18, 2015
Oren Gelber Date

CERTIFICATE OF SERVICE

I, Carina Scordia, hereby certify that on November 18, 2015, I caused a true and correct copy of the foregoing Petition for Cancellation to be served upon Registrant via first class mail, postage pre-paid, at the addresses shown below:

CRESCI DUCCIO
Via Puccinotti, 77
I-50100 Firenze
Italy

Abelman Frayne & Schwab
666 Third Avenue
10th Floor
New York, NY 10017
Attn: Lawrence E. Abelman
fterranella@lawabel.com

Carina Scordia