

ESTTA Tracking number: **ESTTA774236**

Filing date: **10/03/2016**

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	Miss World Peace Foundation International Limited		
Entity	Company	Citizenship	China
Address	Tak Fung Industrial Centre 168 Texaco Road, Room 1101, Block 2 Tsuen Wan, Hong Kong, CHINA		

Attorney information	Randy Michels Trust Tree Legal, P.C. 1321 Adams Street Nashville, TN 37208 UNITED STATES randy@trust-tree.com Phone:6159331976		
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Registration Subject to Cancellation

Registration No	4227645	Registration date	10/16/2012
Registrant	Wang Huiyue Jining Villa, No.8 of Jining, Xiangzhou Zhuhai, Guangdong, CHINA		

Goods/Services Subject to Cancellation

Class 041. First Use: 2011/10/11 First Use In Commerce: 2012/05/18 All goods and services in the class are cancelled, namely: Arranging of beauty contests; Entertainment in the nature of fashion shows; Modelling for artists; Organization of fashion shows for entertainment purposes; Organization of cultural shows; Planning arrangement of showing movies, shows, plays or musical performances; Production and distribution of monoscopic and stereoscopic, electronic, digital video and film; Production of films; Production of radio and television programs; Televisionshow production

Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	Draft Petition to Cancel MISS PEACE.pdf(93017 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	/Randy Michels/
Name	Randy Michels
Date	10/03/2016

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

Miss World Peace Foundation)	
International Limited)	
)	
Petitioner)	
)	Cancellation No. _____
v.)	U.S. Reg. No. 4,227,645
)	
Wang Huiyue)	
)	
)	
Registrant)	
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PETITION TO CANCEL

Miss World Peace Foundation International Limited, a Chinese company with an address of Tak Fung Industrial Centre, 168 Texaco Road, Room 1101, Block 2, Tsuen Wan, Hong Kong (hereinafter “Petitioner”), believes that it is damaged by the continued registration of the trademark shown in U.S. Registration No. 4,227,645 and hereby petitions for cancellation of the registration.

As grounds for cancellation, Petitioner submits the following:

1. Petitioner seeks cancellation of U.S. Registration No. 4,227,645 for MISS PEACE (and design) (the “Registered Mark”). The Registered Mark is for “Arranging of beauty contests; Entertainment in the nature of fashion shows; Modelling for artists; Organization of fashion shows for entertainment purposes; Organization of cultural shows; Planning arrangement of showing movies, shows, plays or musical performances; Production and distribution of monoscopic and stereoscopic, electronic, digital video and film; Production of films; Production of radio and television programs; Television show production” in International Class 41.

2. The Registered Mark issued on October 16, 2012 on an application based on §1 of the Lanham Act by Wang Huiyue, a Chinese citizen with an address of Jining Villa, No.8 of Jining, Xiangzhou, Room 202, No.1 Unit, Building 4, Zhuhai, Guangdong China (“Registrant”).

3. Petitioner is in the business of organizing and hosting the MISS WORLD PEACE international beauty pageant.

4. Long prior to any use or application to register the Registered Mark in the United States, Petitioner used the MISS WORLD PEACE trademark throughout the world for beauty pageant services and the public has come to recognize the beauty pageant services associated with the MISS WORLD PEACE trademark as emanating solely from Petitioner.

5. Petitioner has used the MISS WORLD PEACE trademark for beauty pageant services in the United States since at least as early as 2015.

6. During the time Petitioner has used its MISS WORLD PEACE trademark in connection with beauty pageant services, Petitioner has advertised its services under the mark, including on its website <http://www.miss-worldpeace.com/en> so as to popularize its services with the public. As a result, Petitioner has developed substantial goodwill and public recognition of its mark, and the trade and public have come to know and recognize MISS WORD PEACE as identifying the services of Petitioner exclusively.

7. Because the Registered Mark is used for the same services as those of Petitioner, and is confusingly similar to the Petitioner’s MISS WORLD PEACE mark, confusion and deception as to the origin of Registrant’s services bearing the Registered Mark is likely.

8. If this petition is not granted, Registrant would continue to have at least a prima facie exclusive right to use its mark for beauty pageant services, and such registration would be a source of damage and injury to Petitioner and a source of confusion to Petitioner's many contestants, business partners, and fans who rely upon the reputation of Petitioner and the high quality of Petitioner's services as reflected by Petitioner's valuable trademark.

9. Almost four years have passed since the Registered Mark issued, yet Petitioner has been unable to find any indication of use of the Registered Mark in the United States.

10. On information and belief, Registrant has never used the Registered Mark in commerce in the United States.

11. On information and belief, Registrant has abandoned the Registered Mark within the meaning of Section 45 of the Trademark Act, 15 U.S.C. § 1127, at least in that Registrant has ceased use of the Registered Mark in the United States and has no intention to resume use of the Registered Mark in the United States in the future.

12. The Registered Mark should therefore be cancelled in accordance with Section 14 of the Trademark Act, 15 U.S.C. § 1064.

WHEREFORE, Petitioner believes that it would be damaged by the continued registration of the Registered Mark and requests that U.S. Registration No. 4,227,645 be cancelled from the Register.

Dated: October 3, 2016

Respectfully submitted,

s/Randy Michels

Randy Michels

TRUST TREE LEGAL, P.C.

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Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing Petition to Cancel has been served on both Wang Huiyue and his counsel of record/domestic representative by mailing said copies on October 3, 2016, via First Class Mail, postage prepaid to:

Wang Huiyue
Jining Villa, No.8 of Jining, Xiangzhou
Room 202, No.1 Unit, Building 4
Zhuhai, Guangdong China

Anthea Lee
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s/Randy Michels
Attorney for Petitioner