

ESTTA Tracking number: **ESTTA773392**

Filing date: **09/28/2016**

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	Lion Group, Inc.		
Entity	Corporation	Citizenship	Ohio
Address	7200 Poe Avenue, Suite 400 Dayton, OH 45414 UNITED STATES		

Attorney information	Roger H. Bora Thompson Hine LLP 10050 Innovation Drive, Suite 400 Dayton, OH 45342 UNITED STATES docket@thompsonhine.com, trademarks@thompsonhine.com Phone:937.443.6817		
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Registration Subject to Cancellation

Registration No	5022884	Registration date	08/16/2016
Registrant	Linke Dyrdaahl 7342 11th Ave. NW Seattle, WA 98117 UNITED STATES		

Goods/Services Subject to Cancellation

Class 018. First Use: 2016/06/10 First Use In Commerce: 2016/06/10 All goods and services in the class are cancelled, namely: Backpacks; Duffel bags
Class 025. First Use: 2016/06/12 First Use In Commerce: 2016/06/12 All goods and services in the class are cancelled, namely: Hats; Sweatshirts; T-shirts

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
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Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	86065652	Application Date	09/16/2013
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	READY FOR ACTION		

Design Mark	READY FOR ACTION
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2010/03/00 First Use In Commerce: 2010/03/00 Firefighter's and industrial safety protective clothing, headwear and footwear; protective thermal liners for firefighters' garments, coats and pants; protective helmets and fire protective clothing, namely, coveralls, shirts, boots, gloves, and flame retardant clothing; EMS emergency medical services protective clothing and footwear; chemical biological protective clothing; chemical biological protective footwear; chemical biological protective gloves; chemical biological protective headwear; and chemical biological protective equipment, namely, rescue harnesses, gear bags, training suits</p> <p>Class 035. First use: First Use: 2010/03/00 First Use In Commerce: 2010/03/00 Supply chain management; logistics management services, including for clothing, textile products, protective apparel, gear, and equipment including for the firefighter, EMS and law enforcement fields</p>

Attachments	86065652#TMSN.png(bytes) Petition to Cancel READY FOR ACTION Reg No. 5022884.PDF(297814 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	/rhb/
Name	Roger H. Bora
Date	09/28/2016

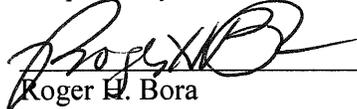
4. The Registration lists an application priority filing date of August 15, 2013.
5. Petitioner has used Petitioner's Mark in U.S. commerce for the goods listed in pending Application Serial No. 86/065,652 since at least as early as March 10, 2010.
6. Before Registrant first used, or filed his subject trademark application for, the mark READY FOR ACTION for the goods listed in the Registration, Petitioner used the Petitioner's Mark for the goods listed in Application Serial No. 86/065,652 .
7. The continued use and registration of the Registrant's mark READY FOR ACTION for the goods listed in the Registration is likely to cause confusion, or mistake, or to deceive consumers as to the source or origin of Registrant's goods, or mislead consumers into believing that they are in some way associated with Petitioner or Petitioner's goods listed in pending Application Serial No. 86/065,652 .
8. Petitioner will be damaged by the registration of the cited mark because the Registration is barring the registration of the Petitioner's Mark.

WHEREFORE, Petitioner requests that Registration No. 5022884 be canceled.

The cancellation fee in the amount of \$300.00 per class is being paid concurrently with this filing by credit card.

Date: September 28, 2016

Respectfully Submitted,



Roger H. Bora
Attorney for Petitioner
Thompson Hine LLP
10050 Innovation Drive, Suite 400
Dayton, Ohio 45342
(937) 443-6817

CERTIFICATE OF SERVICE

This is to certify that I have this day served the listed registrant and counsel for Registrant with the foregoing Petition for Cancellation by depositing a copy of same in the United States mail, postage prepaid and properly addressed as follows:

Linke Dyrdaahl
7342 11th Ave NW
Seattle, WA 98117-4141

George E. Bonini
Fifth Avenue Law Group
701 5th Ave. Suite 2800
Seattle, WA 98104

This 28th day of September 2016.



Roger H. Bora
Attorney for Petitioner
Thompson Hine LLP
10050 Innovation Drive, Suite 400
Dayton, Ohio 45342
(937) 443-6817