

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: April 22, 2004

Applicant: EDGE COMPANY CATALOG, INC., THE  
Serial No.: 74528070  
Filed: 05/20/1994  
Mark: GET THE EDGE



05-07-2004  
U.S. Patent & TMO/TM Mail Rcpt Dt. #22

J.W. Gipple  
P.O. Box 40513  
Washington, DC 20016

Pauline Stewart, Legal Assistant

On April 9, 2004, potential opposer herein, Bud K. Worldwide, Inc., filed an unsigned petition for cancellation to oppose the above-identified application.

Potential opposer is advised that Trademark Rule 2.119(e) provides that every paper filed in an inter partes proceeding, and every request for an extension of time to file an opposition, must be signed by the party filing it, or by the party's attorney or other authorized representative, but an unsigned paper will not be refused consideration if a signed copy is submitted to the Patent and Trademark Office within the time limit set in the notification of this defect by the Office.

Accordingly, potential opposer is allowed until May 23, 2004 in which to submit a signed copy of its petition for cancellation, failing which the petition for cancellation will not be given any consideration.

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

Bud K Worldwide, Inc. :  
Petitioner :  
v. : Cancellation No.  
Edge Company :  
Respondent :

PETITION FOR CANCELLATION

In the matter of the Registration No. 1888471 registered on April 11, 1995 under the Trademark Act of July 5, 1946 in the name of Edge Company, the Petitioner, Bud K Worldwide, Inc., believes that it is being and will continue to be damaged by said Registration No. 1888471 and hereby petitions the United States Patent and Trademark Office to cancel the Registration pursuant to Section 14 of the Trademark Act of July 5, 1946 (15. U.S.C., Section 1064) and further; Petitioner hereby appoints J. W. Gipple, and the firm of Gipple & Hale, members of the Bar of the Commonwealth of Virginia and/or District of Columbia, whose address is P. O. Box 40513, Washington, D.C. 20016, as its attorneys with full power of substitution and revocation, to prosecute this Petition to Cancel and to transact any and all business connected therewith before the United States Patent and Trademark Office.

As grounds for cancellation, Petitioner alleges:

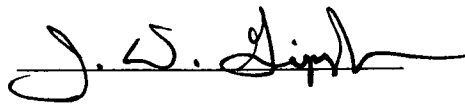
1. That the Petitioner, Bud K Worldwide, Inc. is a corporation organized and existing under the laws of the state of Georgia located and doing business at 475 U.S. Highway 319 South, Moultrie, GA 31776.
2. That Petitioner is engaged in the business of selling cutlery and related goods, mainly through catalogs it distributes.
3. That in connection with its cutlery and related goods, Petitioner has used and is using a mark which includes the words GET THE EDGE; and as a result of such use, Petitioner has a vested interest in continuing use of its mark and protecting the goodwill associated therewith.
4. Reg. No. 1888471 is the mark GET THE EDGE for use in connection with "printed material, namely catalogs featuring knives, tools and gifts.
5. The registrant of Reg. 1888471 is Edge Company, a Vermont corporation located at Rt. 5, Putney Road, P. O. Box 826, Brattleboro, Vermont 05301.
6. Upon information and belief, in 1995 Edge Company assigned its rights in Reg. 1888471 to The Edge Company Catalog Inc., a New Hampshire corporation, located and doing business at 100 Plaza Drive, Seacaucus, New Jersey.

7. Upon information and belief, in 1998 The Edge Company Catalog Inc. assigned a security interest in Reg. 1888471 to CIT Group/Business Credit Inc., a Delaware corporation located at 1211 Avenue of the Americas, New York, NY 10036.
8. Upon information and belief none of the entities identified in foregoing paragraphs 4, 5 and 6, are currently using the mark GET THE EDGE and have not used the mark in commerce during the prior two years.
9. That Reg. No. 1888471 has become abandoned and is subject to cancellation on that ground.
10. That Reg. No. 188471 remains an obstacle to petitioner in registering and protecting its rights and interests in the mark GET THE EDGE.
11. If the Registration No. 188471 is allowed to remain in force and Respondent retains such right as are conferred under the Principal Register of the Trademark Act of July 5, 1946, then Petitioner will continue to be subjected to great and irreparable damage.

WHEREFORE, this Petitioner, Bud K Worldwide Inc. believes and avers that it is and will continue to be damaged by the Registration No. 1888471 as aforesaid and requests that Respondent be required to answer the allegations of this Petition for Cancellation and that said Registration be canceled.

Respectfully submitted,

Bud K Worldwide, Inc.

A handwritten signature in black ink, appearing to read "J. W. Gipple", written over a horizontal line.

By: J. W. Gipple  
Attorney for Petitioner

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May 5, 2004

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Attention: Pauline Stewart, Legal Assistant

Thank you for your letter, mailed April 22, 2004, a copy of which is attached. Petitioner, Bud K Worldwide, Inc., submits herewith a signed copy of the Petition for Cancellation originally filed on April 9, 2004.

Respectfully submitted,



J. W. Gipple, Attorney  
for Petitioner

JWG/plb  
Z-1628

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