



TTAB

01-11-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #58

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

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on January 11, 2002 in an envelope as 'Express Mail Post Office To Addressee' Mailing Label Number EL930224576US addressed to: BOX TTAB FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Clyde L. Smith
Type or Print Name


Signature

In the Matter of U.S. Trademark Registration No. 2,129,371
For the Mark: BRIDGEPOINT and Design
Registered: January 13, 1998

Bridgepoint Capital Ltd.,
:
:
Petitioner,
:
:
v.
:
:
BridgePoint Systems, Inc.,
:
:
Respondent.
:

Cancellation No. _____

BOX TTAB FEE
Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington Virginia 22202-3513

01/16/2002 KGIBBONS 00000193 2129371

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PETITION FOR PARTIAL CANCELLATION

"Petitioner", Bridgepoint Capital Ltd., a corporation organized and existing under the laws of England, with offices at 101 Finsbury Pavement, London EC2A 1EJ, England, believes that it is and/or will be damaged by the continued registration of the mark BRIDGEPOINT and design in International Class 36, U.S. Trademark Registration No. 2,129,371, and hereby petitions to cancel same.



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

1. Upon information and belief, the current owner of U.S. Trademark Registration No. 2,129,371 for the mark BRIDGEPOINT and design in International Class 36 for *financial services, namely, credit and debit card services* is BridgePoint Systems, Inc. who is presently located at 520 Third Street, Suite 109, Oakland, California 94607 (hereinafter "Registrant").

2. Petitioner is the owner of U.S. Trademark Application Serial No. 76/012,997 for the mark BRIDGEPOINT for *arranging equity financing for businesses and investors; arranging private equity financing for businesses and investors; and managing investment funds for others* in International Class 36.

3. The Examining Attorney assigned to Petitioner's U.S. Trademark Application Serial No. 76/012,997 has refused registration thereof under 15 U.S.C. §1052(d) based on an alleged likelihood of confusion with Registrant's U.S. Registration No. 2,129,371.

4. As a result of the Examiner's refusal to register Petitioner's U.S. Trademark Application Serial No. 76/012,997 based on an alleged likelihood of confusion with Registrant's U.S. Trademark Registration No. 2,129,371, Petitioner is damaged by the continuance of U.S. Trademark Registration No. 2,129,371.

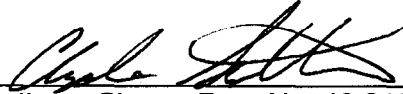
COUNT I – LACK OF USE AS A MARK

5. Paragraphs 1 through 4 are herein incorporated by reference.

6. Upon information and belief, Registrant filed an application for federal trademark registration based on an intent to use the mark BRIDGEPOINT and design in interstate commerce in connection with, among other things, *financial services, namely, credit and debit card services* in International Class 36 on January 22, 1996.

7. Upon information and belief, Registrant filed a Statement of Use under 15 U.S.C. §1051(d) on September 29, 1997 and submitted therewith specimens as support of

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anthony Simon", written over a horizontal line.

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