

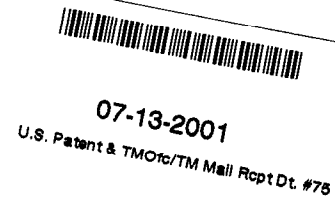
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re

Registration No. 1,219,817,
date of issue: Dec. 14, 1982; and
Registration No. 1,223,195,
date of issue: Jan. 11, 1983

CH. 1 INC.,
Petitioner

Cancellation No.: _____



Channel One Communications Corp.,
Registrant

Los Angeles, California
July 6, 2001

CERTIFICATION UNDER 37 C.F.R. 1.10: I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on July 13, 2001, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL 902 559 049 US, addressed to BOX TTAB FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513.

Ann Simmens
(typed or printed name of person mailing paper or fee)

[Signature]
(signature of person mailing paper)

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

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PETITION FOR CANCELLATION

1. Petitioner, CH. 1 INC., a Delaware corporation having its principal place of business at 2801 South Yale Street, Santa Ana, CA 92704, believes that it is or will be damaged by Registrations Nos. 1,219,817 and 1,223,195 and hereby petitions to cancel same.

As grounds of this Petition, it is alleged that:

2. The Registrant is the assignee of record of Reg. No. 1,219,817 for the mark CHANNEL ONE, typed drawing, and Reg. No. 1,223,195 for the mark CHANNEL ONE and design, both marks being for "Radio Communication Equipment-Namely, Satellite Transmission Receiving Antennas, Radios, Receivers, Amplifiers, Active and Passive Signal Processors, Signal Distribution Cables, and Communication Satellite Transducers," and both claiming a first date of use of July 7, 1979.
3. Petitioner is engaged in the business of making and selling TV, HDTV and computer displays and devices combining the functions of televisions, computers, video tape recorders, DVD players, audio speakers, signal converters and computer peripherals.
4. Petitioner owns pending Application Ser. No. 76/145,326 for registration of its mark, CH.1 and design, for "televisions; high definition televisions; computer monitors; video display devices, namely video monitors, flat panel display devices; global computer network access devices, namely computer hardware for providing access to a global computer network; convergence devices, namely video display devices having the function of a television and a computer monitor; video tape recorders; DVD players; audio speakers set top television boxes; signal converters and computer peripherals."

5. In Petitioner's above-identified pending application, the Trademark Examining Attorney refused registration under Section 2(d) of the Lanham act, 15 U.S.C. Section 1052(d), on the ground that Petitioner's mark, when used on or in connection with Petitioner's identified goods, so resemble the marks in Registrant's two above-identified registrations as to be likely to cause confusion, to cause mistake, or to deceive.
6. Upon information and belief, both of the Registrant's above-identified marks were abandoned at least as early as May 10, 1996 in that Registrant has not used and is not using either of the above-identified marks on the goods identified in either of those two above-identified registrations.
7. Petitioner has been and will continue to be damaged by the existence of Registrations Nos. 1,219,817 and 1,223,195 issued to the predecessor of the Registrant and assigned to the Registrant, in that the Office has made the above refusal in Petitioner's application for registration and unless both of the above-identified registrations are cancelled, the Office will in all likelihood continue said refusal.
8. Petitioner is also likely to be damaged by continuance of the above-identified two Registrations in that if, as alleged by the Office, there is a likelihood of confusion between Registrant's and Petitioner's uses of the respective marks, then Petitioner as the prior lawful user of its own mark will be damaged and injured by reason that Registrant may be confused as the source of Petitioner's services and the registration issued to the Registrant will endow the Registrant with at least the prima facie right to continue the use of the

marks described in the two above-identified registrations in commerce and continue such confusion.

9. Petitioner is also likely to be damaged by continuance of the above-identified two Registrations in that, if the Registrant is permitted to continue to maintain its invalid registration, the continued existence of such registration casts a cloud upon Petitioner's own right to continue to use, develop, and expand the use of its own mark in the United States.

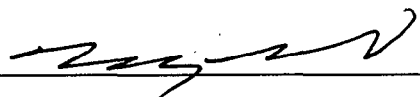
10. A duplicate copy of this Petition and the fee required in §2.6(a)(16) for each class is enclosed herewith.

11. WHEREFORE, Petitioner prays that Registrations Nos. 1,219,817 and 1,223,195 be cancelled and that this Petition for Cancellation be sustained in favor of Petitioner.

Respectfully submitted,

CH.1 INC.

2/6/01
DATE


Michael Hurey

Tel. No.: (310) 557-1511

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Attorney for Petitioner CH.1 INC.