

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

In the matter of:

Trademark Registration No.: 1,399,515

For the Mark: **FINGERPRINTS NEW YORK + Design**

Registration Date: July 1, 1986

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 :
 17th Street Productions, Inc. :
 :
 Petitioner, :
 :
 v. :
 :
 Fingerprints New York, Inc. :
 :
 Registrant. :
 -----X

Asst. Com. For Trademarks
BOX CANCELLATION - FEE
2900 Crystal Drive
Arlington, VA 22202-3513

PETITION TO CANCEL ABANDONED REGISTRATION

Dear Sir/Madam:

17th Street Productions, Inc. ("Petitioner") is a is a corporation organized under the laws of the State of New York, with his principal place of business at 151 West 26th Street, 11th Floor, New York, New York 10001. Petitioner believes that it is being damaged by Fingerprints New York, Inc.'s¹ U.S. Reg. No. 1,399,515 of the mark FINGERPRINTS NEW YORK + Design registered on July 1, 1986 for a 20 year term in connection with children's clothing in Class 25. Section 8 & 15 Affidavits were filed by Fingerprints New

¹ On January 1, 1988 the entire interest and good will of the registration was assigned to Fingerprints New York, Inc, 529 West 42nd Street, Ste 3K, New York, New York 10036. The Trademark Office recorded the assignment on February 10, 1989 at reel/frame 0636/0600.

York, Inc. on September 18, 1992.

Petitioner asserts that the mark has been abandoned by the registrant and seeks cancellation of the registration pursuant to Section 14(3) of the Trademark Act of 1946, as amended, 15 U.S.C. Section 1064(3) on the following grounds:

1) According to New York Department of State records which are publicly available at <lexis.com> the registrant corporation was dissolved by proclamation on September 28, 1994.

2) The New York Department of State records indicate the corporation known as Fingerprints New York Inc. is inactive.

3) The registrant is an inactive corporation incapable of using the mark as a source indicator for goods flowing through commerce and has constructively relinquished its association with the mark.

4) The registrant did not further assign the mark within the records of the Trademark Office prior to dissolution of the corporation.

5) Petitioner has been damaged by the registration which has been cited against Petitioner's trademark application Serial Nos. 75/981597 for the mark **FINGERPRINTS** for "Printed matter; namely, books, magazines, newsletters and other print materials for children; comic books; coloring books; children's activity books; paper articles, namely writing paper, envelopes, notebooks, and diaries; iron-on decals, vinyl non-sticker decals; unmounted posters and photographs; elementary and preschool instructing and teaching materials; paper goods, namely, book covers, bookmarks, calendars, greeting cards, gift wrapping paper, table centerpieces made of paper, paper party favors, paper hats, invitations, paper tablecloths and paper cake decorations" in International Class 16;

6) Petitioner has been damaged by the registration which has been cited against Petitioner's trademark application Serial No. 76/005344 for the mark **FINGERPRINTS** for "Motion picture films and television films featuring characters and other elements drawn from a series of original children's books and other print material; pre-recorded phonograph records, audiocassette tapes, videocassette tapes, and audio and video laser and compact discs featuring characters and other elements drawn from a series of original children's books and

other print material; audiotape players and recorders; video cameras and videotape players; laser and compact disc players; and radios" in International Class 9 and "Entertainment services; namely, production of motion picture, television and other audio-visual programs and juvenile fan clubs and activity groups associated with such programs" in International Class 41.

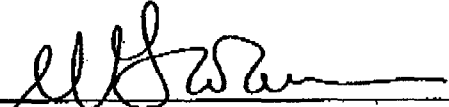
7) U.S. Reg. No. 1,399,515 of the mark **FINGERPRINTS NEW YORK + DESIGN** is preventing Petitioner from registering its mark **FINGERPRINTS** and may otherwise interfere with Petitioner's right to use the mark **FINGERPRINTS** for its goods and services.

8) This petition is filed in duplicate and is accompanied by the required fee of \$300 pursuant to 37 C.F.R. 2.6(1).

WHEREFORE, Petitioner 17th Street Productions, Inc. prays that U.S. Reg. No. 1,399,515 be cancelled.

Respectfully submitted,

Dated: New York, New York
April 18, 2002

By: 
M. Graham Coleman, 2d
Attorney for Petitioner, 17th Street Productions, Inc.

KAY & BOOSE LLP
One Dag Hammarskjold Plaza
New York, New York 10017
(212) 940-8376

Source: [All Sources](#) > [Public Records](#) > [Business & Corporation Information](#) > [Corporation & Partnership Registrations by State](#) > [NY Department of State Corporation and Limited Partnership Information](#)
ms: fingerprints new york ([Edit Search](#))

NEW YORK DEPARTMENT OF STATE, CORPORATE RECORD

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NEW YORK DEPARTMENT OF STATE, CORPORATE RECORD

NAME: FINGERPRINTS NEW YORK, INC.

TYPE: DOMESTIC BUSINESS

STATUS: INACTIVE

STATUS-COMMENT: DISSOLUTION BY PROCLAMATION

TERMINATION: PERPETUAL

DATE OF INCORPORATION/QUALIFICATION: 12/28/1987

COUNTY OF PRINCIPAL OFFICE: NEW YORK

STOCK:

NUMBER OF SHARES STOCK TYPE VALUE PER SHARE

NUMBER OF SHARES	STOCK TYPE	VALUE PER SHARE
30	NO PAR VALUE	\$ 0.0

HISTORY:

DATE TRANSACTION MICROFILM-NO

9/28/1994	DISSOLUTION BY PROC. (DOM. BUSINESS)	DP-1124209
2/28/1987	INCORPORATION (DOM. BUSINESS)	B583698-3

PROCESS ADDRESS:

70 CHRISTINE C. ANDERSON ESQ
70 LEXINGTON AVE
TE 308
NEW YORK, NY 10017

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Received from < 212 940 8359 > at 8/27/02 4:39:05 PM [Eastern Daylight Time]

Department of State Corporation and Limited Partnership Information 

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View: KVIC # 25

e/Time: Monday, April 15, 2002 - 10:40 AM EDT

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April 18, 2002

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 Trademark Trial and Appeal Board
 BOX - CANCELLATION FEE
 2900 Crystal Drive
 Arlington, VA 22202-3513

CERTIFICATE OF EXPRESS MAIL Label No. EV097820451

I, Candida J. Hinton, hereby certify that this correspondence is addressed to Asst. Com. for Trademarks, Trademark Trial and Appeal Board, BOX CANCELLATION FEE - 2900 Crystal Drive, Arlington, VA 22202-3513, and is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on April 18, 2002

Candida J. Hinton
 Signature

April 18, 2002
 Date of Signature

Petitioner: 17th Street Productions, Inc.
 Registrant: Fingerprints New York, Inc.
 Reg. No.: 1,399,515
 Mark: **FINGERPRINTS NEW YORK & Design**
 Registration Date: July 1, 1986

Dear Sir/Madam:

On behalf of the above-named Petitioner, we enclose a Petition To Cancel Abandoned Registration annexing the New York Department of State Corporate Record which evidences the dissolution of the registrant corporation, and check to your order in the amount of \$300 to cover the filing fee for this submission.

We respectfully request that the TTAB suspend Applicant's Notice of Appeal proceeding pending the outcome of this cancellation request. For your reference, we further enclose courtesy copies of Applicant's Request to Suspend Application Serial Nos. 76/005344 and 75/981597 which have been forwarded to Examining Attorney.

Please date stamp and return the enclosed post card and call the undersigned if there are any questions or problems regarding this submission at (212) 940-8321. Thank you.

Sincerely,

KAY & BOOSE LLP

Candida J. Hinton
 Candida J. Hinton
 Intellectual Property Administrator

Encls.

cc: Joanna M. Dukovcic, Esq. (L.O. 103)
 M. Graham Coleman, 2d

KAY & BOOSE_{LLP}

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TINA
CRAVEN
(703) 746-7121

FAX TRANSMISSION COVER SHEET

Date July 12, 2002
To [Jean Brown, TTAB Supervisor CC: M. Graham Coleman, 2d]
Fax 703-308-9333
Client 30250-001
Sender Candi Hinton, Intellectual Property Administrator

YOU SHOULD RECEIVE 8 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL Candi at (212) 940-8321.

Petitioner: 17th Street Productions, Inc.
Petition to Cancel U.S. Reg. No. 1,399,515
Filed: April 18, 2002

Dear Ms. Brown:

Following our conversation, transmitted herewith is a copy of the Petition to Cancel U.S. Registration No. 1,399,515 together with a copy of the date stamped postcard receipt for this submission.

We have confirmed that our check has been received and processed by the Finance Department and we are still awaiting the cancellation proceeding number for this petition.

Please call attorney M.G. Coleman at (212) 940-8376, or the undersigned if you require further information. Thank you for your assistance. We look forward to hearing from you.

Yours truly,

KAY & BOOSE LLP

Candi Hinton

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Atty Docket: 30250-001 Atty: M.G. Coleman, 2d
Date Mailed: April 18, 2002

BOX TTAB - CANCELLATION FEE

Petitioner: 17th Street Productions
Registrant: Fingerprints New York
Reg. No.: 1,399,515
Mark: **FINGERPRINTS NEW**
Reg. Date: July 1, 1986



04-18-2002
U.S. Patent & TMO/TM Mail Rpt Dt: #70
Design

EV097820451US

Transmittal Letter
Petition to Cancel Abandoned Registration
New York Department of State Corporate Record - Fingerprints New York, Inc.
Courtesy Request to Suspend Application (76/005344 and 75/981597)
Certificate of Express Mail Label EV097820451
Postcard receipt