

T71823

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

In the Matter of Trademark Registration No. 1,545,421
For the Mark: HEEL SHIELDS
Date Registered: June 17, 1989



07-14-2003
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

Sara Lee Corporation :
: Petitioner, :
: v. :
: Chicago Sole Leather :
: Distributors, Inc. :
: Registrant. :
:

Cancellation No.: _____

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TRADEMARK TRIAL AND APPEAL BOARD

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

PETITION TO CANCEL

Sara Lee Corporation, a Maryland corporation having a place of business at 1000 East Hanes Mill Road, Winston-Salem, North Carolina, 27105 ("Petitioner"), believes that it will be damaged by U.S. Reg. No. 1,545,421 for HEEL SHIELDS in International Class 25, and hereby petitions to cancel the same.

As grounds for cancellation, it is alleged that:

1. Upon information and belief, Chicago Sole Leather Distributors, Inc. ("Chicago") obtained a federal registration for the trademark HEEL SHIELDS for footwear components, namely, heel protectors. This registration issued on June 17, 1989, and was assigned U.S. Reg. No. 1,545,421 (the "Registration").

2. Upon information and belief, Registrant has abandoned the mark HEEL SHIELDS.

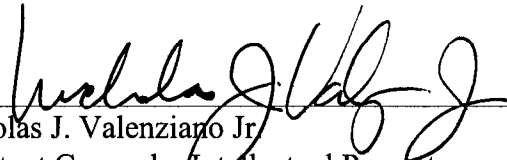
3. Petitioner has sought federal registration of the mark HEEL SHIELD in connection with socks in International Class 25 through its filing of United States Trademark Application Serial No. 78/158,772. Petitioner's application has been refused registration on the basis of the Registration.

WHEREFORE, Petitioner prays that U.S. Reg. No. 1,545,421 be canceled.

A duplicate copy of this Petition to Cancel is enclosed herewith. The Commissioner is hereby authorized to charge the \$300.00 filing fee to Deposit Account No. 190142. The Commissioner is also authorized to charge any deficiency in the payment of the filing fee or credit any overpayment to Deposit Account No. 190142.

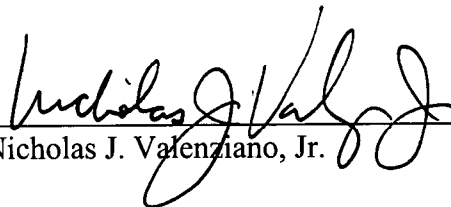
Respectfully submitted,

Dated: July 10, 2003

By: 
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CERTIFICATE OF MAILING

I hereby certify that an original and one copy of the foregoing PETITION TO CANCEL is being deposited with the United States Postal Service as first-class mail in a postage prepaid envelope addressed to: Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3514, on July 10, 2003.



Nicholas J. Valenziano, Jr.