

ESTTA Tracking number: **ESTTA113523**

Filing date: **12/07/2006**

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

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	SLG Productions, Inc.		
Entity	Corporation	Citizenship	New York
Address	44 Jane Street New York, NY 10014 UNITED STATES		

Attorney information	Doreen L. Costa Baker Botts L.L.P. 30 Rockefeller Plaza 44th Floor New York, NY 10112-4498 UNITED STATES nytmdpt@bakerbotts.com Phone:212.408.2576
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Registration Subject to Cancellation

Registration No	1255493	Registration date	10/25/1983
Registrant	GEKKEIKAN SAKE COMPANY LTD. 247 MINAMIHAMA-CHO, FUSHIMI-KU KYOTO, JAPAN		
Goods/Services Subject to Cancellation	Class 033. First Use: 1981/07/26 , First Use In Commerce: 1981/08/15 Goods/Services: Japanese Sake		
Grounds for Cancellation	The registered mark has been abandoned.		

Attachments	samurai gekkeikan.pdf (3 pages)(102812 bytes)
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Signature	/Doreen L. Costa/
Name	Doreen L. Costa
Date	12/07/2006

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

In the Matter of Trademark Reg. No. 1,255,493
Mark : SAMURAI GEKKEIKAN
Registrant : Gekkeikan Sake Company Ltd.
Issued : October 25, 1983

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SLG PRODUCTIONS, INC., :
Petitioner, : Cancellation No.
v. :
GEKKEIKAN SAKE COMPANY LTD., :
Respondent. :

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PETITION TO CANCEL

SLG Productions, Inc. (hereinafter referred to as "Petitioner"), is a New York corporation located and doing business at 44 Jane Street, New York, NY 10014. Petitioner believes that it is or will be damaged by Registration No. 1,255,493, owned by Gekkeikan Sake Company Ltd., a Japanese corporation, with a place of business at 247 Minamihama-Cho, Fushimi-Ku, Kyoto, Japan ("Registrant" or "Respondent"), and hereby petitions for cancellation of this registration.

The specific grounds for this petition to cancel are as follows:

1. On June 8, 2006, Petitioner filed an intent-to-use application in the U.S. Patent and Trademark Office to register the mark SAMURAI LOVE SAKE, Application Serial No. 78/904,336, covering "sake" in International Class 33.

2. Registrant is the owner of Registration No. 1,255,493, issued October 25, 1983, for the mark SAMURAI GEKKEIKAN, covering “Japanese sake” in International Class 33.

3. The Trademark Examiner has refused registration to Applicant’s mark shown in Application Serial No. 78/904,336 under Section 2(d) of the United States Trademark Act in view of Registration No. 1,255,493.

4. Upon information and belief, Registrant has ceased to use the mark SAMURAI GEKKEIKAN in interstate commerce on or in connection with the goods covered by the subject registration, has no intent to resume such use and, by its conduct, has abandoned any and all claims to maintain registrations of said marks, and has otherwise abandoned all claims of federal trademark rights in and to said mark.

5. In view of the above allegations, if Registration No. 1,255,493 is allowed to continue in full force and effect and Respondent continues to retain such rights under the Trademark Act of 1946, Petitioner will continue to be subjected to great and irreparable damage, namely the inability to register its mark on the Principal Register. Moreover, if the Registration is allowed to continue, Respondent will enjoy unlawful gain and advantage to which it is not entitled under the Trademark Act of 1946. Accordingly, Petitioner will be damaged within the meaning of 15 U.S.C. §1064 if the Registration is not canceled.

WHEREFORE, Petitioner prays that Registration No. 1,255,493 be canceled and this Petition to Cancel sustained.

Respectfully submitted,

BAKER BOTTS L.L.P.

Date: December 7, 2006

By: 

Doreen L. Costa

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Attorneys for Petitioner

SLG Productions, Inc.