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Filing date: **12/20/2006**

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	AMN Healthcare, Inc.		
Entity	Corporation	Citizenship	Nevada
Address	12400 High Bluff Drive San Diego, CA 92130 UNITED STATES		

Attorney information	Lisa M. Martens Fish & Richardson P.C. 12390 El Camino Real San Diego, CA 92130 UNITED STATES martens@fr.com Phone:(858) 678-5070		
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Registration Subject to Cancellation

Registration No	1611053	Registration date	08/28/1990
Registrant	TRAVELERS INSURANCE GROUP INC., THE ONE TOWER SQUARE HARTFORD, CT 06183 UNITED STATES		
Goods/Services Subject to Cancellation	Class 035. First Use: 1978/02/00 , First Use In Commerce: 1978/02/00 Goods/Services: DIRECT MAIL MARKETING FOR INSURANCE AGENTS, RENDERING TECHNICAL AID AND ASSISTANCE IN THE ESTABLISHMENT AND/OR OPERATION OF FINANCIAL CONSULTING AND BROKERAGE SERVICES, PROMOTING THE SALE OF GOODS AND/OR SERVICES OF OTHERS BY ADVERTISING CAMPAIGNS, COUNSELING IN REGARD TO COST MANAGEMENT, EMPLOYMENT COUNSELING SERVICES FOR RETIRED PERSONS, AND REHABILITATION SERVICES, NAMELY, COST CONTROL AND JOB PLACEMENT SERVICES		
Grounds for Cancellation	The registered mark has been abandoned.		

Attachments	petition.PDF (5 pages)(157405 bytes)
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Signature	/Lisa M. Martens/
Name	Lisa M. Martens
Date	12/20/2006

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

AMN HEALTHCARE, INC.,

Petitioner,

v.

TRAVELERS PROPERTY CASUALTY
CORP.,

Respondent.

In the matter of Registration No. 1,611,053

For the mark TRAVELERS

Registered on August 28, 1990

Cancellation No.: _____

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

PETITION FOR PARTIAL CANCELLATION

AMN Healthcare, Inc. (“AMN” or “Petitioner”), a Nevada corporation having a principal place of business at 12400 High Bluff Drive, San Diego, California 92130, believes that it is damaged and will continue to be damaged by the registration of the mark TRAVELERS, Registration No. 1,611,053 (“Respondent’s Mark”) for use in connection with “employment counseling services for retired persons, and rehabilitation services, namely, cost control and job placement services.” and hereby petitions to cancel the same pursuant to the provisions of 15 U.S.C. §§ 1064 and 1068.

The grounds for cancellation are as follows:

1. AMN is the largest temporary healthcare staffing company in the United States. As the leading nationwide provider of temporary healthcare staffing services, including allied providers, travel nurses, and locum tenens (temporary physician staffing), as well as permanent placement services for physicians, AMN recruits nurses, physicians, and allied healthcare professionals nationally and places them at acute care hospitals and healthcare facilities

throughout the country. Thus, AMN's services are marketed to two distinct customer bases: (1) healthcare professionals; and (2) hospital and healthcare facility clients. AMN has been providing staffing services to hospitals and healthcare facilities continuously since at least as early as 1985.

2. One way AMN distinguishes itself from other healthcare staffing companies is by using a multi-brand recruitment strategy. Among AMN's national brands is the MED TRAVELERS mark. AMN and its predecessor in interest (hereinafter referred to as "AMN") have engaged in continuous use in commerce of the MED TRAVELERS trademark in connection with healthcare staffing services since at least as early as January 2000. AMN registered the domain name <*www.med-travelers.com*> on February 3, 2000. AMN provides employment agency services in the healthcare field, as well as online information pertaining to employment agency services in the healthcare field on its website at *www.medtravelers.com*. The *www.med-travelers.com* domain name now re-directs to *www.medtravelers.com*.

3. Since commencing use of the MED TRAVELERS mark at least as early as January 2000, AMN has generated more than \$80 million in revenue from the provision of staffing services to healthcare facilities under the MED TRAVELERS mark, including more than \$30 million in 2005 alone. From 2000 to 2005, AMN has spent more than \$900,000 on marketing and advertising of the MED TRAVELERS mark.

4. AMN has expended considerable time, money, and effort in the development, preparation, promotion, and offering of services in connection with AMN's MED TRAVELERS mark. As a result of AMN's longstanding use and promotion of its MED TRAVELERS trademark, AMN has developed valuable goodwill in the MED TRAVELERS mark. AMN's MED TRAVELERS mark has become strong, has long been associated with AMN, and serves to identify AMN's healthcare staffing services as emanating from a single source. Specifically,

healthcare providers and healthcare facilities recognize the MED TRAVELERS mark as identifying the source of AMN's health care staffing services.

5. On January 11, 2006, AMN filed a U.S. Trademark Application (Ser. No. 78/789.832) ("AMN's Application") for the mark MED TRAVELERS for use in connection with "temporary and permanent employment agency services in the healthcare field; providing online information pertaining to temporary and permanent employment agency services in the healthcare field." The examining attorney rejected AMN's Application based on an alleged likelihood of confusion with Respondent's Mark for use in connection with "employment counseling services for retired persons, and rehabilitation services, namely, cost control and job placement services."

6. On information and belief, Travelers Property Casualty Corporation ("TPC" or "Respondent"), a Connecticut corporation having a place of business at One Tower Square, Hartford, Connecticut 06183, is the record owner of Registration No. 1,611,053 for the mark TRAVELERS for use in connection with "employment counseling services for retired persons, and rehabilitation services, namely, cost control and job placement services," in addition to numerous other goods and services not relevant to this cancellation proceeding.

7. On information and belief, TPC is an insurance company. In contrast, AMN is a healthcare staffing company.

8. On information and belief, the goods and services provided by TPC under its TRAVELERS mark are completely unrelated to the services provided by AMN under its MED TRAVELERS mark.

9. On information and belief, Respondent's Mark is not in use in the United States in connection with certain services recited in the registration, specifically, "employment counseling services for retired persons, and rehabilitation services, namely, cost control and job placement

services.”

10. On information and belief, TPC has no intention of using the TRAVELERS mark in the United States in connection with “employment counseling services for retired persons, and rehabilitation services, namely, cost control and job placement services.”

11. As a result of Respondent’s cessation of use of the TRAVELERS mark in connection with those particular services with the intent not to resume use, Respondent’s Mark has lost all capacity as a source indicator for Respondent’s services.

12. On information and belief, Respondent has abandoned the TRAVELERS mark in the United States for use in connection with “employment counseling services for retired persons, and rehabilitation services, namely, cost control and job placement services.”

13. Respondent’s Mark, Reg. No. 1,611,053, should be partially cancelled under 15 U.S.C. §§ 1064 and 1068 as to “employment counseling services for retired persons, and rehabilitation services, namely, cost control and job placement services.”

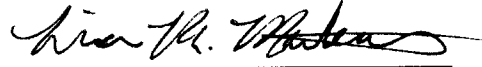
WHEREFORE, pursuant to §§ 14 and 18 of the Lanham Act, 15 U.S.C. §§ 1064 and 1068, AMN respectfully requests that Registration No. 1,611,053 be canceled as to “employment counseling services for retired persons, and rehabilitation services, namely, cost control and job placement services.” and that this Petition to Cancel be sustained.

Please apply the \$300 fee to Deposit Account No. 06-1050.

Please direct all communications concerning the above-captioned cancellation proceeding to the undersigned attorneys at the address indicated.

Respectfully Submitted,

Date December 19, 2006



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