

ESTTA Tracking number: **ESTTA207864**

Filing date: **04/29/2008**

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	LaceLynx, LLC		
Entity	Limited liability company	Citizenship	California
Address	6345 Balboa Boulevard Suite 1-300 Encino, CA 91316 UNITED STATES		

Attorney information	Rod S. Berman, Esq. Jeffer, Mangels, Butler & Marmaro LLP 1900 Avenue of the Stars Seventh Floor Los Angeles, CA 90067 UNITED STATES trademarkdocket@jmbm.com Phone:3102038080		
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Registration Subject to Cancellation

Registration No	3184342	Registration date	12/12/2006
Registrant	FUNK, DOUGLAS P. 401 NE RAVENNA BLVD #148 SEATTLE, WA 98115 UNITED STATES		

Goods/Services Subject to Cancellation

Class 026. First Use: 2006/08/01 First Use In Commerce: 2006/08/01 All goods and services in the class are cancelled, namely: Fasteners for Securing and Adjusting Laces of Footwear, Clothing, Tent Bags, Backpacks, Boxing Gloves, and Pockets of Lacrosse Sticks
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Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	69426-0002 Petition for Cancellation.pdf (2 pages)(70373 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/brennan c swain/
Name	Brennan C. Swain
Date	04/29/2008

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

LaceLynx, LLC,

Petitioner,

v.

Douglas P. Funk,

Registrant.

Cancellation No. _____

Reg. No. 3,184,342

Mark: LACE LINK

Registration Date: December 12, 2006

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

PETITION FOR CANCELLATION

Petitioner, LaceLynx, LLC, a California limited liability company, with a business address of 6345 Balboa Boulevard, Suite 1-300, Encino, California 91316 believes it will be damaged by the continued registration of United States Trademark Registration No. 3,184,342 (the "Registration") for LACE LINK in the name of Douglas P. Funk in connection with fasteners for securing and adjusting laces of footwear, clothing, tent bags, backpacks, boxing gloves, and pockets of lacrosse sticks, in Int. Cl. 26, and, by and through its undersigned counsel, hereby petitions to cancel the same.

As grounds for cancellation, it is alleged that:

1. Petitioner filed U.S. Trademark Appl. Ser. No. 77/234,603 to register LACELYNX in connection with a decorative assembly made primarily of metal for use with shoe laces.

2. The U.S. Patent and Trademark Office refused registration of Petitioner's U.S. Trademark Appl. Ser. No. 77/234,603 by citing the Registration owned by Registrant.

3. On information and belief, Registrant has discontinued use of the mark LACE LINK with no intent to resume said use, thus abandoning the mark and rendering the Registration cancellable.

4. Petitioner's legal use and registration of its LACELYNX mark will be impaired by the continued registration of Registrant's mark and thus, Petitioner believes it will be damaged by continuance of Registrant's registration.

WHEREFORE, and in accordance with Section 14 of the Trademark Act, Petitioner prays that this Petition for Cancellation be sustained and that the Registration be cancelled.

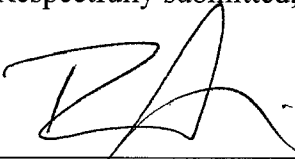
The Commissioner is hereby authorized to charge the required fee for this Petition to Deposit Account No. 10-0440. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0440.

This Petition for Cancellation is being filed by the undersigned attorneys at law, duly authorized to represent Petitioner in this proceeding, pursuant to C.F.R. § 2.111(b).

Respectfully submitted,

Dated: 4/29/08

By: _____


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Brennan C. Swain, Esq.
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