

ESTTA Tracking number: **ESTTA225450**

Filing date: **07/21/2008**

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	VENTURE VEHICLES, INC		
Entity	Corporation	Citizenship	DELAWARE
Address	1801 CENTURY PARK E. SUITE 2400 LOS ANGELES, CA 90402 UNITED STATES		

Attorney information	MARVIN H KLEINBERG Kleinberg & Lerner, LLP 2049 CENTURY PARK E. Suite 1080 LOS ANGELES, CA 90067 UNITED STATES trademarks@kleinberglerner.com, mkleinberg@kleinberglerner.com Phone:310-557-1511
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Registration Subject to Cancellation

Registration No	3419708	Registration date	04/29/2008
Registrant	Venturi Automobiles 7, rue du gabian MC, 98000 MONACO		

Goods/Services Subject to Cancellation

Class 012. First Use: 2005/01/01 First Use In Commerce: 2005/01/01 All goods and services in the class are cancelled, namely: Automobiles and structural parts therefor
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Grounds for Cancellation

<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Other	The mark has not yet been used in commerce on or in association with all of the goods listed in the Certificate of Registration

Attachments	Grounds for a Petition for Cancellation.pdf (1 page)(9725 bytes) Web 1.pdf (1 page)(181939 bytes) Web 2.pdf (1 page)(184620 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	/marvin h. kleinberg/
Name	MARVIN H KLEINBERG
Date	07/21/2008

Grounds for a Petition for Cancellation.

Petitioner, VENTURE VEHICLES, INC., believes it will be damaged by the continued registration of the mark “VENTURI” to VENTURI AUTOMOBILES in that the registrant has accused petitioner of infringement of the mark. While petitioner does not believe it’s mark “VENTURE” infringes any legitimate right of registrant, the threat of litigation remains.

As a further grounds of cancellation, petitioner is informed and believes that registrant filed a partially or wholly false statement of use in order to gain registration. In particular, petitioner is informed and believes that registrant had not used the mark on or in association with “structural parts” of automobiles at the time the Statement of Use was filed, therefore fraudulently claiming that the mark was in use on or in association with structural parts of automobiles.

As a separate grounds of cancellation, petitioner is informed and believes that registrant has yet to use the mark on or in association with automobiles that are in use in commerce in the United States. Petitioner is further informed and believes that the registrant has neither sought nor obtained the necessary certifications from the Department of Transportation that are prerequisite to the offering for sale of automobiles in this country. Accordingly, registrant could not have used the mark on automobiles in commerce in the United States.

Finally, petitioner is informed and believes that registrant has no present plans to bring an automobile or structural parts therefor to this country for the foreseeable future, based on statements made in registrant’s web site, attached hereto as an Exhibit.

Venuri presents the electric Citroen Berlingo developed for La Poste

VENURI VEHICLES presents at the 2008 Monaco Grand Prix the electric Citroen Berlingo developed for La Poste. This vehicle is the first of its kind in the world. It is a 100% electric vehicle with a range of 100 km. It is powered by a lithium-ion battery pack. The vehicle is designed for urban use and is suitable for delivery services. It is also suitable for use in the city center. The vehicle is also suitable for use in the city center. The vehicle is also suitable for use in the city center.

