

ESTTA Tracking number: **ESTTA365470**

Filing date: **08/27/2010**

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	Music Without Borders, LLC		
Entity	Corporation	Citizenship	Conneticut
Address	9 Benedict Place Grennwich, CT 06830 UNITED STATES		

Attorney information	Steve Gordon Steve Gordon Law 41 River Terrace, Suite 1203 New York, NY 10282 UNITED STATES steve@stevegordonlaw.com Phone:212.924.1166		
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Registration Subject to Cancellation

Registration No	3177144	Registration date	11/28/2006
Registrant	Fearless Entertainment, Inc. 369 Lexington Avenue New York, NY 10017 UNITED STATES		

Goods/Services Subject to Cancellation

Class 041. First Use: 2005/12/01 First Use In Commerce: 2005/12/01 All goods and services in the class are cancelled, namely: Entertainment services in the nature of live music and arts festivals
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Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	PETITION_mwb.pdf (1 page)(42697 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	/stevegordon/
Name	Steve Gordon
Date	08/27/2010

PETITION FOR CANCELLATION

Music Without Borders, LLC (“Petitioner”), a Connecticut corporation having its principal place of business at 9 Benedict Place, Greenwich, Connecticut 06830, believes that it is damaged by Registration No. 3177144 and hereby petitions to cancel the same under the provisions of 15 U.S.C. § 1064(3). As grounds for cancellation, Petitioner asserts that:

1. Petitioner engages in the following businesses: (a) Business consultation in the field of the music business, specifically consulting for concert production/event management; Consulting for labels to develop strategies for marketing, brand building, AandR, distribution and media buying; Consulting music retailers pinpoint a solid brand identity, maximize efficiency and widen profit margins; Consulting arts organizations and museums on matching events and exhibits with customized music that evokes the appropriate period or culture; Consulting artists, labels and music industry professionals on web design and development; Consulting in regard to services for public and private libraries; Consulting music industry professionals with respect to employment and access to music industry resources; Consulting with regard to branding through music; Consulting with regard to music business seminars and workshops; and (b) Entertainment services in the nature of live musical performances; Entertainment, namely, live music concerts; Entertainment, namely, live performances by a musical band; Entertainment, namely, live performances by musical bands; Entertainment, namely, live performances by rock groups.
2. On February 3, 2006, Registrant filed an application to register the mark MUSIC WITHOUT BOUNDARIES (the “Mark”) under Section 1(b) and 44(d) of the Lanham Act. 15 U.S.C. § 1051(a). Based on this application, Registrant obtained U.S. Registration No. 3177144 (the “Registration”), which issued November 28, 2006 for the Mark in International Class 41 for Entertainment services in the nature of live music and arts festivals.
3. Upon information and belief, Fearless Entertainment, Inc. is no longer in business. The Registration lists the following address: 369 Lexington Avenue, New York, New York 10017.

Basis for Cancellation - Abandonment

4. Registrant claimed that the Mark was first used at least as early as 12/01/2005, and first used in commerce at least as early as 12/01/2005.
5. Upon information and belief, Registrant is no longer using the Mark.
6. Upon information and belief, Registrant intends not to resume bona fide use of the Mark in the ordinary course of trade.
7. Registrant has abandoned the Mark.