

ESTTA Tracking number: **ESTTA383019**

Filing date: **12/10/2010**

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	Think IP Strategy Pty Ltd.		
Entity	Company	Citizenship	Australia
Address	P.O. Box 453 Eltham, VIC 3095 AUSTRALIA		

Attorney information	Virginia R. Richard Winston & Strawn LLP 200 Park Avenue New York, NY 10166 UNITED STATES trademarkny@winston.com Phone:212 294 6700
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### Registration Subject to Cancellation

Registration No	2602819	Registration date	07/30/2002
Registrant	IP Strategies, P.C. 1730 N Lynn Street, Suite 500 Arlington, VA 22209 UNITED STATES		

### Goods/Services Subject to Cancellation

Class 042. First Use: 2000/06/15 First Use In Commerce: 2000/06/15  
All goods and services in the class are cancelled, namely: Legal services

### Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Think IP Strategy Pty - Petition for Cancellation.pdf ( 5 pages )(188533 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	/W&S/
Name	Virginia R. Richard
Date	12/10/2010

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

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THINK IP STRATEGY PTY LTD.,	:
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Petitioner,	:
	:
v.	:
	:
IP STRATEGIES, P.C.	:
	:
Registrant.	:
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**PETITION FOR CANCELLATION**

THINK IP STRATEGY PTY LTD., an Australian company, having a principal place of business at P.O. Box 453, Eltham, Victoria, Australia 3095 (hereinafter, "Petitioner"), believes that it has been damaged and will continue to be damaged by the continued registration of U.S. Trademark Registration No. 2,602,819 for IP STRATEGIES in International Class 42 and hereby petitions to cancel same. As grounds for cancellation, it is alleged that:

1. Petitioner is the owner of the marks IP THINK TANK (U.S. Registration No. 3,656,378) and THINK IP STRATEGY.
  
2. Petitioner is a global intellectual property consulting and legal strategy firm. It advises clients on the exploitation, protection and enforcement of their intellectual property assets.
  
3. Petitioner has been engaged in the intellectual property consulting and legal strategy business in commerce with the United States since at least as early as March 2006.

4. Petitioner maintains an extensive website at <thinkipstrategy.com>, which contains information regarding Petitioner's services and expertise. The <thinkipstrategy.com> website also contains Petitioner's Internet blog, IP THINK TANK, which features intellectual property news and commentary. Petitioner's IP THINK TANK blog is highly regarded by intellectual property attorneys and portfolio managers worldwide.

5. Petitioner filed U.S. Application Serial No. 77/960,177 for THINK IP STRATEGY on March 16, 2010 (the "Application") for:

Advisory services relating to intellectual property rights; enforcement of intellectual property rights; establishment of intellectual property rights; exploitation of intellectual property rights; intellectual property consultancy; intellectual property licensing services; intellectual property watching services; licensing of intellectual property; prosecution of applications for intellectual property rights; protection of intellectual property; research relating to intellectual property; advisory services relating to trade marks; enforcement of trade mark rights; licensing of trade marks; professional advisory services relating to infringement of trade marks; professional advisory services relating to licensing of trade marks; prosecution of applications for trade marks; searching of trade marks; trade mark attorney services; trade marks exploitation; management of trademarks; licensing of registered designs; professional advisory services relating to registered designs; prosecution of registered designs; advisory services relating to copyright; copyright management; exploitation of copyrights; exploitation of printed matter (copyright); exploitation of rights of films (copyright); exploitation of transmission rights (copyright); licensing of copyright; protection of copyright; advisory services relating to patents; exploitation of patents; licensing of patents; management of patents; patent agency services; patent attorney services; patent licensing; professional advisory services relating to infringement of patents; professional advisory services relating to licensing of patents, in Class 45.

6. On June 18, 2010, the Examining Attorney refused registration of the Application on the grounds that the applied-for mark, *inter alia*, when used on or in connection with the recited services so resembles the mark IP STRATEGIES in U.S. Registration No. 2,602,819, as to be likely to cause confusion, to cause mistake, or to deceive.

7. On April 20, 2000, Registrant, IP Strategies, P.C. (hereinafter, "Registrant"), filed U.S. Trademark Application Serial No. 78/004,874 for the mark IP STRATEGIES, which application matured into the subject U.S. Registration No. 2,602,819 on July 30, 2002, for use in connection with "legal services," in Class 42.

8. Upon information and belief, Registrant is no longer an active corporate entity under the laws of the District of Columbia, the city of Registrant's incorporation.

9. Upon information and belief, no successor-in-interest of Registrant is currently operating under the trade name "IP Strategies, P.C."

10. Upon information and belief, Registrant has made no trademark use of the subject mark IP STRATEGIES in commerce for least three (3) consecutive years prior to the filing date hereof.

11. Upon information and belief, Registrant has ceased use of the subject mark IP STRATEGIES, without intention of resuming use.

12. Upon information and belief, Registrant abandoned the mark IP STRATEGIES, the subject of U.S. Trademark Registration No. 2,602,819, without intention of resuming use.

13. Petitioner is and continues to be damaged by the continued existence of U.S. Trademark Registration No. 2,602,819 on the Principal Register, as the subject registration has been cited against Petitioner's Application as a bar to the registration of Petitioner's THINK IP

STRATEGY mark.

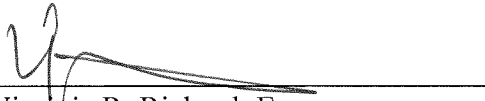
14. By reason of the foregoing facts, Petitioner will be irreparably damaged by the continued registration of Registrant's mark IP STRATEGIES on the Principal Register of the United States Trademark Office for the services recited in U.S. Registration No. 2,602,819.

**WHEREFORE**, Petitioner prays that this Petition for Cancellation be sustained and U.S. Registration No. 2,602,819 be cancelled.

A copy of this Petition for Cancellation is hereby submitted along with the requisite filing fee in the amount of \$300.00. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 501-814.

Dated: New York, New York  
December 9, 2010

By: \_\_\_\_\_

  
Virginia R. Richard, Esq.  
Lana C. Marina, Esq.  
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New York, New York 10166  
(212) 294-6700

**Attorneys for Petitioner  
THINK IP STRATEGY PTY LTD.**

**CERTIFICATE OF SERVICE**

I hereby certify that on December 10, 2010, a copy of the foregoing Petition For Cancellation was served on Registrant's counsel of record by first class mail in an envelope addressed as follows:

Thomas Michael Champagne  
IP Strategies, P.C.  
1048 Dead Run Drive  
McLean VA 22101



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Denise Bolden