

ESTTA Tracking number: **ESTTA554551**

Filing date: **08/16/2013**

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	Arangold Corporation		
Entity	Corporation	Citizenship	Illinois
Address	3170 Commercial Avenue Northbrook, IL 60062 UNITED STATES		

Attorney information	Daniel N. Christus McDermott Will & Emery LLP 227 W. Monroe Street Chicago, IL 60606 UNITED STATES dchristus@mwe.com,laguilar@mwe.com,mweipdocket@mwe.com Phone:312-372-2000
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Registration Subject to Cancellation

Registration No	1498870	Registration date	08/02/1988
Registrant	House of Windsor, LLC 321 Farmington Road Mocksville, NC 27028 UNITED STATES		

Goods/Services Subject to Cancellation

Class 034. First Use: 1985/09/16 First Use In Commerce: 1985/09/16
All goods and services in the class are cancelled, namely: CIGARS

Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	0055PetitionToCancel.pdf(381885 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	/Daniel N. Christus/
Name	Daniel N. Christus
Date	08/16/2013

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

In the Matter of Trademark Registration
No. 1,498,870
For the Mark SPORTSMEN SERIES (Stylized)
Date Registered: August 2, 1988

Arangold Corporation,)	
)	
Petitioner,)	
)	
v.)	Cancellation No. _____
)	
House of Windsor, LLC,)	
)	
Respondent.)	

PETITION TO CANCEL

Petitioner, Arangold Corporation, an Illinois corporation, with its principal place of business at 3170 Commercial Avenue, Northbrook, Illinois, 60062, believes that it is or will be damaged by U.S. Trademark Registration Number 1,498,870 (“the ‘870 Registration”) and hereby petitions to cancel the same. A copy of the ‘870 Registration is attached as Exhibit A.

To the best of Petitioner’s knowledge, and according to the records of the assignment branch of the Trademark Office, Respondent’s last known address was 321 Farmington Road, Mocksville, North Carolina, 27028.

Description of the ‘870 Registration: Filed on October 31, 1985, for the mark SPORTSMEN SERIES (Stylized); registered on the Principal Register, in International Class 034 for “cigars” on August 2, 1988; claiming first use of September 16, 1985.

As grounds for this Petition, Petitioner alleges that:

1. Petitioner is the owner of three U.S. trademark registrations for the mark ARANGO SPORTSMAN, including U.S. Trademark Registration No. 1,811,015 for “tobacco, smokeless tobacco and cigars,” in International Class 034.

2. Respondent is the owner of the '870 Registration by virtue of an assignment recorded in the Trademark Office on July 3, 2008, at Reel 3809, Frame 0046.

3. On information and belief, Respondent has abandoned the registered mark by discontinuing use of the mark with no intent to resume use. Petitioner is likely to be damaged by continuance of the '870 Registration in that Petitioner's continued and legal use of ARANGO SPORTSMAN will be impaired by the continued registration of the abandoned mark of Respondent.

4. Because the '870 Registration has been abandoned, it may be cancelled under 15 U.S.C. §1064(3) (Lanham Act §14(3)).

WHEREFORE, Petitioner prays that U.S. Trademark Registration No. 1,498,870 be cancelled and that this Petition for Cancellation be sustained in favor of Petitioner.

Petitioner hereby appoints the firm of McDermott Will & Emery, LLP, 227 W. Monroe Street, Chicago, Illinois, 60606 as its attorneys to prosecute this Petition, to transact all relevant business with the Patent and Trademark Office and in the United States courts, and to receive all official communications in connection with this Petition for Cancellation.

Please address all correspondence and telephone inquiries to:

Daniel N. Christus
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227 W. Monroe Street
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Chicago, IL 60606-5096
Tel: (312) 372-2000
Email: dchristus@mwe.com

The \$300.00 fee required by § 2.6(a)(16) for a cancellation of a one-class registration is submitted herewith.

ARANGOLD CORPORATION

DATE: August 16, 2013

By: /Daniel N. Christus/
Daniel N. Christus
McDermott, Will & Emery
227 W. Monroe Street
Chicago, IL 60606
Tel: (312) 372-2000
Email: dchristus@mwe.com

Attorneys for Petitioner

CERTIFICATE OF SERVICE

Petitioner Arangold Corporation hereby certifies that a copy of this PETITION TO CANCEL has been served upon Respondent, House of Windsor, Incorporated, on this 16th day of August, 2013, by U.S. First Class Mail at the following address:

House of Windsor, LLC
321 Farmington Road
Mocksville, North Carolina 27028

/Daniel N. Christus/
Daniel N. Christus
Attorney for Petitioner



United States Patent and Trademark Office

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Word Mark	SPORTSMEN SERIES
Goods and Services	IC 034. US 017. G & S: CIGARS. FIRST USE: 19850916. FIRST USE IN COMMERCE: 19850916
Mark Drawing Code	(5) WORDS, LETTERS, AND/OR NUMBERS IN STYLIZED FORM
Serial Number	73566002
Filing Date	October 31, 1985
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	May 10, 1988
Registration Number	1498870
Registration Date	August 2, 1988
Owner	(REGISTRANT) HOUSE OF WINDSOR, INCORPORATED CORPORATION PENNSYLVANIA ORCHARD STREET YOE PENNSYLVANIA 17313 (LAST LISTED OWNER) House of Windsor, LLC CORPORATION 321 Farmington Road Mocksville NORTH CAROLINA 27028
Assignment Recorded	ASSIGNMENT RECORDED
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SERIES" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20080821.
Renewal 1ST RENEWAL 20080821
Live/Dead Indicator LIVE

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