

ESTTA Tracking number: **ESTTA554574**

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 parties request to cancel indicated registration.

**Petitioner Information**

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

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	1519106	Registration date	01/03/1989
Registrants	PHELPS, CALVIN A. 321 FARMINGTON RD MOCKSVILLE, NC 27028 UNITED STATES  HOUSE OF WINDSOR LLC 321 FARMINGTON RD 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
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**Grounds for Cancellation**

Abandonment	Trademark Act section 14
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Attachments	0056PetitionToCancel.pdf(422128 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. 1,519,106  
For the Mark SPORTSMEN SERIES (Stylized)  
Date Registered: January 3, 1989

Arangold Corporation,	)	
	)	
Petitioner,	)	
	)	
v.	)	Cancellation No. _____
	)	
Calvin A. Phelps; and	)	
House of Windsor, LLC,	)	
	)	
Respondents.	)	

**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 1,519,106 (“the ‘106 Registration”) and hereby petitions to cancel the same. A copy of the ‘106 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, both of Respondents’ last known addresses were 321 Farmington Road, Mocksville, North Carolina, 27028.

Description of the ‘106 Registration: Filed on October 31, 1985, for the mark SPORTSMEN SERIES (Stylized); registered on the Principal Register, in International Class 034 for “cigars” on January 3, 1989; 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. Respondents are the owners of the '106 Registration, by virtue of an assignment recorded in the Trademark Office on March 27, 2009, at Reel 3962, Frame 0698.

3. On information and belief, Respondents have 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 '106 Registration in that Petitioner's continued and legal use of ARANGO SPORTSMAN will be impaired by the continued registration of the abandoned mark of Respondents.

4. Because the '106 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. 1,519,106 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  
MCDERMOTT, WILL & EMERY  
227 W. Monroe Street  
Suite 4400  
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

**CERTIFICATE OF SERVICE**

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

Calvin A. Phelps  
321 Farmington Road  
Mocksville, North Carolina 27028

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

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



## Trademarks > Trademark Electronic Search System (TESS)

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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** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Code**  
**Design** 03.15.06 - Ducks; Geese; Swans  
**Search** 03.15.19 - Birds or bats in flight or with outspread wings  
**Code** 03.15.24 - Stylized birds and bats  
**Serial Number** 73566094  
**Filing Date** October 31, 1985  
**Current Basis** 1A  
**Original Filing Basis** 1A  
**Published for Opposition** October 11, 1988  
**Registration Number** 1519106  
**Registration Date** January 3, 1989  
**Owner** (REGISTRANT) HOUSE OF WINDSOR, INCORPORATED CORPORATION PENNSYLVANIA ORCHARD STREET YOE PENNSYLVANIA 17313

(LAST LISTED OWNER) HOUSE OF WINDSOR LLC COMPOSED OF CALVIN A PHELPS,  
MEMBER/MANAGER LIMITED LIABILITY COMPANY NORTH CAROLINA 321 FARMINGTON RD  
MOCKSVILLE NORTH CAROLINA 27028

(LAST LISTED OWNER) PHELPS, CALVIN A. INDIVIDUAL UNITED STATES 321 FARMINGTON RD  
MOCKSVILLE NORTH CAROLINA 27028

**Assignment Recorded** ASSIGNMENT RECORDED

**Attorney of Record** FRED A. KEIRE

**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SERIES" APART FROM THE MARK AS SHOWN

**Description of Mark** THE STIPPLING IN THE DRAWING IS FOR SHADING PURPOSES ONLY.

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Affidavit Text** SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20090526.

**Renewal** 1ST RENEWAL 20090526

**Live/Dead Indicator** LIVE

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