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Filing date: **10/10/2013**

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	Citrix Online LLC		
Entity	Limited Liability Company	Citizenship	Delaware
Address	7414 Hollister Avenue Goleta, CA 93117 UNITED STATES		
Attorney information	Deborah J. Peckham and Sara Beccia Burns & Levinson LLP 125 Summer Street Boston, MA 02110 UNITED STATES trademarks@burnslev.com Phone:617-345-3000		

Registration Subject to Cancellation

Registration No	4094540	Registration date	01/31/2012
Registrant	Pechora Technologies Pte. Ltd. 2 Jurong East St., 21 #02-83 Singapore, 609601 SINGAPORE		

Goods/Services Subject to Cancellation

Class 009. First Use: 2010/06/06 First Use In Commerce: 2010/06/06 All goods and services in the class are cancelled, namely: Computer software for managing electronic devices; computer software for monitoring and controlling web-accessible cameras
Class 039. First Use: 2010/06/06 First Use In Commerce: 2010/06/06 All goods and services in the class are cancelled, namely: Electronic storage of videos and images
Class 042. First Use: 2010/07/28 First Use In Commerce: 2010/07/28 All goods and services in the class are cancelled, namely: Providing on-line non-downloadable software for managing electronic devices; providing on-line non-downloadable software for monitoring and controlling web-accessible cameras

Grounds for Cancellation

Abandonment	Trademark Act section 14
Priority and likelihood of confusion	Trademark Act section 2(d)

Marks Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	2772971	Application Date	02/28/2001
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Registration Date	10/14/2003	Foreign Priority Date	NONE
Word Mark	GOTOMYPC		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 2001/02/01 First Use In Commerce: 2001/02/01 software for use on computers and devices for accessing, viewing, and controlling remote computers and devices		

U.S. Registration No.	3172020	Application Date	09/18/2003
Registration Date	11/14/2006	Foreign Priority Date	NONE
Word Mark	GOTOMEETING		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2004/04/19 First Use In Commerce: 2004/04/19 Computer software for transmitting data, graphics, audio and/or video over electronic communications networks; computer software for facilitating business transactions conducted via electronic communications networks; computer software for creating, offering, hosting, and delivering online conferences, meetings, demonstrations, tours, presentations, and discussions</p> <p>Class 038. First use: First Use: 2004/04/19 First Use In Commerce: 2004/04/19 telecommunication services, namely, broadcasting a wide variety of programs, meetings, events and real time information over global computer communications networks</p> <p>Class 042. First use: First Use: 2004/04/19 First Use In Commerce: 2004/04/19 Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, virtual tours, presentations and interactive discussions</p>		

U.S. Registration No.	3213853	Application Date	09/18/2003
Registration Date	02/27/2007	Foreign Priority Date	NONE
Word Mark	GOTOASSIST		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2003/10/23 First Use In Commerce: 2003/10/23 computer software for transmitting data, graphics, audio and/or video over electronic communications networks; computer software for facilitating business transactions conducted via electronic communications networks; computer software for creating, offering, hosting, and delivering online conferences, meetings, demonstrations, tours, presentations, and discussions</p> <p>Class 042. First use: First Use: 2003/10/23 First Use In Commerce: 2003/10/23 application service provider featuring audio and video streaming software for transmitting data, graphics, audio, or video over electronic communications networks</p>		

U.S. Registration No.	3469501	Application Date	01/20/2006
Registration Date	07/15/2008	Foreign Priority Date	NONE
Word Mark	GOTOWEBINAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2006/06/15 First Use In Commerce: 2006/06/15 Computer software for transmitting data, graphics, audio and/or video over electronic communications networks; computer software for facilitating business transactions conducted via electronic communications networks; computer software for creating, offering, hosting, and delivering online conferences, meetings, demonstrations, tours, presentations, and discussions</p> <p>Class 038. First use: First Use: 2006/06/15 First Use In Commerce: 2006/06/15 Telecommunication services, namely, broadcasting a wide variety of programs, meetings, events and real time information over global computer communications networks</p> <p>Class 042. First use: First Use: 2006/06/15 First Use In Commerce: 2006/06/15 Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, virtual tours, presentations and interactive discussions</p>		

U.S. Registration No.	3807572	Application Date	03/10/2008
Registration Date	06/22/2010	Foreign Priority Date	NONE
Word Mark	GOTOTRAINING		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2010/02/16 First Use In Commerce: 2010/02/16 Computer software for transmitting documents, data, graphics, audio and/or video over electronic communications networks; computer software for web collaboration; computer software for creating, offering, hosting, and delivering online conferences, meetings, demonstrations, presentations, educational courses, and interactive discussions</p> <p>Class 038. First use: First Use: 2010/02/16 First Use In Commerce: 2010/02/16 Telecommunication services, namely, broadcasting a wide variety of meetings, educational courses, events and real time information over global computer communications networks; computer and telecommunications-related services, namely, facilitating the sending and receiving of documents, data, messages, images, voice and telephony over global computer communications networks; instant messaging services; web conferencing services</p> <p>Class 042. First use: First Use: 2010/02/16 First Use In Commerce: 2010/02/16 Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, presentations, educational courses, and interactive discussions</p>		

U.S. Registration No.	4260539	Application Date	03/07/2012
Registration Date	12/18/2012	Foreign Priority Date	NONE

Word Mark	GOTOWEBINAR PREMIER EVENT		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 038. First use: First Use: 2011/10/20 First Use In Commerce: 2011/10/20 Telecommunication services, namely, broadcasting a wide variety of programs, meetings, events and real time information over global computer communications networks</p> <p>Class 042. First use: First Use: 2011/10/20 First Use In Commerce: 2011/10/20 Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, virtual tours, presentations and interactive discussions</p>		

U.S. Registration No.	3912291	Application Date	02/25/2010
Registration Date	01/25/2011	Foreign Priority Date	NONE
Word Mark	GOTOMANAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 042. First use: First Use: 2010/07/21 First Use In Commerce: 2010/07/21 software as a service services, namely, hosting software for use by others for use in discovering, monitoring, searching, tracking, analyzing, alerting and reporting data in the fields of information technology management, and for discovering, indexing, identifying, searching, and collaborating on a wide variety of information in a variety of fields</p>		

U.S. Registration No.	4011497	Application Date	11/15/2010
Registration Date	08/16/2011	Foreign Priority Date	NONE
Word Mark	GOTOMANAGE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2010/07/21 First Use In Commerce: 2010/07/21 Computer software for use in discovering, monitoring, auditing, searching, tracking, analyzing, alerting and reporting data in the fields of information technology management and remote support</p>		

U.S. Registration No.	4401453	Application Date	07/24/2012
Registration Date	09/10/2013	Foreign Priority Date	NONE
Word Mark	GOTOWEBCAST		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2012/12/00 First Use In Commerce: 2012/12/00 Computer software for transmitting data, graphics, audio and/or video over</p>		

	<p>electronic communications networks; computer software creating, offering, hosting and delivering online conferences, meetings, demonstrations, tours, presentations, discussions, trainings and seminars</p> <p>Class 038. First use: First Use: 2012/12/00 First Use In Commerce: 2012/12/00 Telecommunication services, namely, broadcasting a wide variety of programs, meetings, events, real time information, trainings and seminars over global computer communications networks</p> <p>Class 042. First use: First Use: 2012/12/00 First Use In Commerce: 2012/12/00 Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, virtual tours, presentations, interactive discussions, trainings and seminars</p>
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Attachments	10-10-13 GOTOCAMERA Petition to Cancel.pdf(195285 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	/Sara Beccia/
Name	Sara Beccia
Date	10/10/2013

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

CITRIX ONLINE LLC,
Petitioner,

v.

PECHORA TECHNOLOGIES PTE. LTD.,
Respondent.

Cancellation No.: _____

Reg. No. 4094540

Mark: GOTOCAMERA

Issued: January 31, 2012

PETITION FOR CANCELLATION

Citrix Online LLC (“Citrix”), a limited liability company organized under the laws of Delaware, with a place of business at 7414 Hollister Avenue, Goleta, California, 93117, believes that it is and will continue to be damaged by the above-identified registration for the trademark GOTOCAMERA, and hereby petitions to cancel such registration pursuant to 15 U.S.C. § 1052(d) and 15 U.S.C. §1064(3) on the grounds that: (a) Citrix has prior rights in a family of GOTO Marks and Registrant’s use of the GOTOCAMERA mark is likely to cause confusion; and (b) the Registrant has abandoned its GOTOCAMERA mark.

As grounds for cancellation, it is alleged that:

1. Upon information and belief, Respondent Pechora Technologies Ptd. Ltd. (“Pechora”) is (or was) a Singapore corporation, with a place of business at 2 Jurong East St., 21 #02-83 Singapore 609601.

2. Pechora is the record owner of Registration No. 4094540 (the ‘540 Registration) for the mark GOTOCAMERA covering “computer software for managing electronic devices; computer software for monitoring and controlling web-accessible cameras” in Class 9, “electronic storage of videos and images” in Class 39, and “providing on-line non-downloadable

software for managing electronic devices; providing on-line non-downloadable software for monitoring and controlling web-accessible cameras” in Class 42.

3. Pechora’s ‘540 Registration was filed November 23, 2010 and issued January 31, 2012.

4. Pechora’s application for the ‘540 Registration claims use of its mark since at least as early as July 28, 2010.

5. Citrix uses, and has used for some time, a family of trademarks that begin with the prefix “GOTO” in connection with software and services.

6. For over a decade, Citrix has used and promoted its family of GOTO trademarks.

7. Citrix has sought, and received, numerous registrations for trademarks in its GOTO family of marks in the United States and worldwide.

8. Specifically, Citrix is the owner of U.S. Registration No. 2,772,971 for the trademark GOTOMYPC for and in connection with "software for use on computers and devices for accessing, viewing, and controlling remote computers and devices," in International Class 9, issued on October 14, 2003. Said registration was based on an application filed in the U.S. Patent and Trademark Office on February 28, 2001, and is valid, subsisting, incontestable and enforceable. Accordingly, Citrix's registration is prima facie evidence of its exclusive right to use the GOTOMYPC mark in commerce.

9. Citrix's GOTOMYPC mark is currently used in connection with all of the goods identified in the above-identified registration, and has been used in connection with such goods since at least as early as February 1, 2001.

10. Citrix is the owner of Registration No. 3,172,020 for the mark GOTOMEETING for and in connection with "computer software for transmitting data, graphics, audio and/or video

over electronic communications networks; computer software for facilitating business transactions conducted via electronic communications networks; computer software for creating, offering, hosting, and delivering online conferences, meetings, demonstrations, tours, presentations and discussions" in International Class 9, "telecommunication services, namely, broadcasting a wide variety of programs, meetings, events and real time information over global computer communications networks" in International Class 38; "computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, virtual tours, presentations and interactive discussions" in International Class 42, issued on November 14, 2006. Said registration was based on an application filed in the U.S. Patent and Trademark Office on February 28, 2001, and is valid, subsisting, incontestable and enforceable.

11. Citrix's GOTOMEETING mark is currently used in connection with all of the goods and services identified in the above-identified registration, and has been used in connection with such goods and services since at least as early as April 29, 2004.

12. Citrix is the owner of Registration No. 3,213,853 for the mark GOTOASSIST for and in connection with "computer software for transmitting data, graphics, audio and/or video over electronic communications networks; computer software for facilitating business transactions conducted via electronic communications networks; computer software for creating, offering, hosting, and delivering online conferences, meetings, demonstrations, tours, presentations and discussions" in International Class 9, and "application service provider featuring audio and video streaming software for transmitting data, graphics, audio, or video over electronic communications networks" in International Class 42, issued on February 27, 2007. Said

registration was based on an application filed in the U.S. Patent and Trademark Office on September 18, 2003, and is valid, subsisting, incontestable and enforceable.

13. Citrix's GOTOASSIST mark is currently used in connection with all of the goods and services identified in the above-identified registration, and has been used in connection with such goods and services since at least as early as October 23, 2003.

14. Citrix is the owner of Registration No. 3,469,501 for the mark GOTOWEBINAR for and in connection with “Computer software for transmitting data, graphics, audio and/or video over electronic communications networks; computer software for facilitating business transactions conducted via electronic communications networks; computer software for creating, offering, hosting, and delivering online conferences, meetings, demonstrations, tours, presentations, and discussions” in International Class 9, “Telecommunication services, namely, broadcasting a wide variety of programs, meetings, events and real time information over global computer communications networks” in International Class 38 and “ Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, virtual tours, presentations and interactive discussions” in International Class 42, issued on July 15, 2008. Said registration was based on an application filed in the U.S. Patent and Trademark Office on January 20, 2006, and is valid, subsisting and enforceable.

15. Citrix's GOTOWEBINAR mark is currently used in connection with all of the goods and services identified in the above-identified registration, and has been used in connection with such goods and services since at least as early as June 15, 2006.

16. Citrix is the owner of Registration No. 3,807,572, for the mark GOTOTRAINING for and in connection with “Computer software for transmitting documents, data, graphics, audio and/or video over electronic communications networks; computer software for web

collaboration; computer software for creating, offering, hosting, and delivering online conferences, meetings, demonstrations, presentations, educational courses, and interactive discussions” in International Class 9, “Telecommunication services, namely, broadcasting a wide variety of meetings, educational courses, events and real time information over global computer communications networks; computer and telecommunications-related services, namely, facilitating the sending and receiving of documents, data, messages, images, voice and telephony over global computer communications networks; instant messaging services; web conferencing services” in International Class 38 and “Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, presentations, educational courses, and interactive discussions” in International Class 42, issued on June 22, 2010. Said registration was based on an application filed in the U.S. Patent and Trademark Office on March 10, 2008, and is valid, subsisting and enforceable.

17. Citrix's GOTOTRAINING mark is currently used in connection with all of the goods and services identified in the above-identified registration, and has been used in connection with such goods and services since at least as early as February 16, 2010.

18. Citrix is the owner of Registration No. 4,260,539 for the service mark GOTOWEBINAR PREMIER EVENT for and in connection with “Telecommunication services, namely, broadcasting a wide variety of programs, meetings, events and real time information over global computer communications networks” in International Class 38 and “ Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, virtual tours, presentations and interactive discussions” in International Class 42, issued on December 18, 2012. Said registration was based on an

application filed in the U.S. Patent and Trademark Office on March 7, 2012, and is valid, subsisting and enforceable.

19. Citrix's GOTOWEBINAR PREMIER EVENT mark is currently used in connection with all of the services identified in the above-identified registration, and has been used in connection with such services since at least as early as October 20, 2011.

20. Citrix is the owner of Registration No. 3,912,291 for the service mark GOTOMANAGE for and in connection with “Software as a service services, namely, hosting software for use by others for use in discovering, monitoring, searching, tracking, analyzing, alerting and reporting data in the fields of information technology management, and for discovering, indexing, identifying, searching, and collaborating on a wide variety of information in a variety of fields” in International Class 42. Said registration was based on an application filed in the U.S. Patent and Trademark Office on February 25, 2010 and is valid, subsisting and enforceable.

21. Citrix is the owner of Registration No. 4,011,497 for the trademark GOTOMANAGE for and in connection with “Computer software for use in discovering, monitoring, auditing, searching, tracking, analyzing, alerting and reporting data in the fields of information technology management and remote support” in International Class 9. Said registration was based on an application filed in the U.S. Patent and Trademark Office on November 14, 2010 and is valid, subsisting and enforceable.

22. Citrix's GOTOMANAGE mark is currently used in connection with all of the goods and services identified in the above-identified registrations, and has been used in connection with such goods and services since at least as early as July 21, 2010.

23. Citrix is the owner of Registration No. 4,401,453 for the mark GOTOWEBCAST for and in connection with “Computer software for transmitting data, graphics, audio and/or video over electronic communications networks; computer software creating, offering, hosting and delivering online conferences, meetings, demonstrations, tours, presentations, discussions, trainings and seminars,” in International Class 9, “Telecommunication services, namely, broadcasting a wide variety of programs, meetings, events, real time information, trainings and seminars over global computer communications networks,” in International Class 38 and “Computer services, namely, hosting online web facilities for others for conducting online conferences, meetings, demonstrations, virtual tours, presentations, interactive discussions, trainings and seminars,” issued on September 10, 2013. Said registration was based on an application filed in the U.S. Patent and Trademark Office on July 24, 2012, and is valid, subsisting and enforceable.

24. Citrix's GOTOWEBCAST mark is currently used in connection with all of the goods and services identified in the above-identified registration, and has been used in connection with such goods and services since at least as early as December 2012.

25. Citrix also has common law rights in its marks by virtue of its use of its GOTO_____ marks, included those listed above, (collectively referred to as the “GOTO Marks”) in interstate commerce with goods and services in the computer software and telecommunications fields.

26. By virtue of, among other things, Citrix's marketing and sales efforts and the high quality of Citrix's products and services, Citrix has gained a valuable reputation in the GOTO Marks. Citrix believes that this family of trademarks including the prefix wording "GOTO" and each of the GOTO Marks serve and are recognized as source indicators of Citrix's products and services.

27. Citrix's actual and constructive dates of first use for at least the marks GOTOMYPC, GOTOMEETING, GOTOASSIST, GOTOWEBINAR, and GOTOTRAINING precede Pechora's filing dates, actual use dates, and any dates on which Pechora can rely.

28. Prior to any use in commerce of the GOTOCAMERA Mark by Pechora, many of the Citrix GOTO Marks were used and promoted together in such a way as to create public perception of the distinctive GOTO characteristic as an indication of Citrix as a source.

29. As such, Citrix's rights in the Citrix GOTO Marks predate any use in commerce of the GOTOCAMERA Mark.

30. Pechora's GOTOCAMERA Registration set forth above is confusingly similar to Citrix's GOTO Marks.

31. The goods and services identified in the registrations for the GOTOCAMERA Mark are confusingly similar to the goods and services described in Citrix's registrations and applications for the GOTO Marks, and those goods offered by Citrix in connection with its family of GOTO Marks. Such goods and services are likely to be offered to and/or purchased by the same or overlapping classes of customers, and through the same or overlapping channels of trade, so that prospective purchasers and others are likely to be confused as to whether the services offered under the GOTOCAMERA Mark emanate from or are in some way affiliated with, sponsored, or approved by Citrix, or are otherwise related to Citrix or Citrix's goods and services, thereby damaging Citrix. As such, the GOTOCAMERA Mark should be cancelled based upon a likelihood of confusion, mistake, or deception with Citrix's GOTO Marks, in accordance with Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d).

32. Furthermore and in addition to the grounds set forth above, upon information and belief, Pechora has abandoned its GOTOCAMERA trademark.

33. Upon information and belief, Pechora does not currently use the mark GOTOCAMERA in commerce for the services identified in the '540 Registration.

34. Upon information and belief, Pechora has not used the mark GOTOCAMERA in commerce for the services identified in the '540 Registration since at least January of 2013.

35. Upon information and belief, Pechora has no intent to resume use of the mark GOTOCAMERA in commerce for the services identified in the '540 Registration.

36. In light of Pechora's non-use and abandonment of the mark GOTOCAMERA shown in the '540 Registration, Pechora is not entitled to continued registration of the mark pursuant to Section 14(3) of the Trademark Act, 15 U.S.C. § 1064(3) and, as such, said registration should be cancelled.

WHEREFORE, Citrix prays that Registration No. 4094540 be cancelled, and that this Petition for Cancellation be sustained.

Respectfully Submitted,
CITRIX ONLINE LLC,
By its attorneys,

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October 10, 2013

Certificate of Service

The undersigned hereby certifies that a true copy of the foregoing PETITION FOR CANCELLATION was served upon Registrant and counsel of record for Registrant, by First Class Mail postage prepaid, on October 10, 2013 at the addresses below:

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/s/ Sara Y. Beccia
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