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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	The Remnant of Israel, Inc.		
Entity	Partnership	Citizenship	Pennsylvania
Composed Of:	Barry Segal		
Address	375 Starlight Drive Fort Mill, SC 29715 UNITED STATES		

Attorney information	Barry Shrum Shrum & Associates 144 2nd Avenue North Suite 157 Nashville, TN 37201 UNITED STATES barry@musicattorney.biz Phone:615-338-5130		
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**Registration Subject to Cancellation**

Registration No	4193666	Registration date	08/21/2012
Registrant	World Covenant Ministries, Inc. 4605 Denton Hwy Haltom City, TX 76117 TX		

**Goods/Services Subject to Cancellation**


Class 035. First Use: 2011/03/01 First Use In Commerce: 2011/06/07 All goods and services in the class are cancelled, namely: Charitable services, namely, coordination of the procurement and distribution of food donations from manufacturers, wholesalers, retailers, and government agencies to organizations providing free food to needy people
Class 043. First Use: 2011/03/01 First Use In Commerce: 2011/06/07 All goods and services in the class are cancelled, namely: Charitable services, namely, providing food to needy persons

**Grounds for Cancellation**

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Other	Loss of Goodwill

**Mark Cited by Petitioner as Basis for Cancellation**

U.S. Registration	2534000	Application Date	12/12/2000
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No.			
Registration Date	01/29/2002	Foreign Priority Date	NONE
Word Mark	JOSEPH STOREHOUSE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1998/01/01 First Use In Commerce: 1998/01/01 charitable services, namely providing humanitarian aid in the nature of food, clothing, toys, educational material and supplies, hygiene products, and medicines, to children and others in need		

Attachments	76179850#TMSN.gif( bytes ) Petition to Cancel.pdf(148701 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	/barry shrum/
Name	Barry Shrum
Date	02/28/2014

## PETITION TO CANCEL

Pursuant to Trademark Rule 2.111, The Remnant of Israel, Inc., a Pennsylvania corporation having a principal place of business in the United States at 375 Starlight Drive Fort Mill, South Carolina 29715 (“Petitioner”), believes that it is and will be damaged by the continued usage of the mark titled THE JOSEPH STOREHOUSE, and hereby petitions to cancel the same. As grounds for the cancellation it is alleged that:

1. The Registrant, World Covenant Ministries, Inc. (“Registrant”), is upon information and belief, a Texas corporation with a place of business located at 4605 Denton Hwy, Haltom City Texas 76117.

2. Registrant’s use of the domain and trade name JOSEPH STOREHOUSE infringes the Remnant’s THE JOSEPH STOREHOUSE mark in violation of federal and state statutes and the common law.

3. Petitioner’s, The Remnant of Israel, Inc., adopted and has been using the mark JOSEPH STOREHOUSE for “charitable services, namely providing humanitarian aid in the nature of food, clothing, toys, educational material and supplies, hygiene products, and medicines, to children and others in need” since the early 90’s. Petitioner has made worldwide common law use of the JOSEPH STOREHOUSE mark since 1998, well over fifteen years.

4. Registrant’s claimed first use dates are subsequent to Petitioner’s date of first use of its THE JOSEPH STOREHOUSE mark, January 29, 2002. Thus, priority is not at issue.

5. Registrant’s mark THE JOSEPH STOREHOUSE is confusingly similar in sight, sound and

meaning, to Petitioner's JOSEPH STOREHOUSE mark. Registrant's mark is virtually identical to Petitioner's mark. Consequently, Registrant's mark so closely resembles Petitioner's mark as to likely be confused with and mistaken for Registrant's mark. As a result, there is a significant likelihood of confusion between Registrant's mark and Petitioner's mark.

6. Registrant's goods and services are identical to and closely related to those of Petitioner, thus increasing the likelihood of confusion that may result from continued registration and use of Registrant's mark.

7. Petitioner has invested substantial time, effort and money in using and promoting its JOSEPH STOREHOUSE mark and the goods bearing it. Through such prior use, promotion and advertising, Petitioner has built up a valuable and protectable goodwill associated therewith. By virtue of Petitioner's continuous, exclusive and widespread use of its THE JOSEPH STOREHOUSE mark it has become well-known by the relevant purchasing public as a trademark of Petitioner.

8. Continued registration of Registrant's mark is likely to cause the public to be confused, misled or deceived, and to falsely believe that Registrant's products and services are affiliated, associated, approved, sponsored, licensed or authorized by Petitioner or others authorized or licensed by Petitioner to use THE JOSEPH STOREHOUSE mark. Persons familiar with Petitioner's mark are likely to purchase Registrant's products and services believing they are marketed by, affiliated with or endorsed by Petitioner, when in fact they are not.

9. Continued registration of Registrant's mark is likely to cause harm and damage to Petitioner and its mark by causing confusion, mistake and/or deception as to the respective rights of the parties and as

to the source of the goods and services marketed and provided under the Registrant's mark, and by constituting a cloud on Petitioner's prior established rights in its JOSEPH STOREHOUSE mark. Such continued registration would give Registrant at least a prima facie right to use Registrant's mark, thereby causing continuing serious and irreparable harm to Petitioner's rights in its mark, its business and to the goodwill of such business symbolized by Petitioner's mark. Continued registration of Registrant's mark will also tend to reduce the distinctiveness, value and goodwill of Petitioner's mark.

WHEREFORE, Petitioner believes that it will be damaged by the continued usage of the Registrant's mark and Petitioner prays that this Petition be granted and the domain name and trade name Joseph's Storehouse ordered canceled on the grounds set forth above, pursuant to the Trademark Act, Sections 2(a) and 2(d), as well as other common law principles.

Dated: Nashville, TN  
February 28, 2014

Respectfully submitted,

THE REMNANT OF ISRAEL, INC.

/Barry Neil Shrum/

By: \_\_\_\_\_  
Barry Neil Shrum, Esq.

Attorneys for Petitioner

CERTIFICATE OF SERVICE

BARRY NEIL SHRUM, declares that:

1. I am counsel for the Petitioner in the captioned action, and that on the execution date which appears below, a true copy of the foregoing was served on Registrant's designated representative for correspondence, and on Registrant, by causing the same to be placed in an official depository under the exclusive care and custody of the United States Postal Service, first class mail, postage prepaid, addressed as follows:

2. Pursuant to 28 U.S.C. Sect. 1746, I declare under penalty of perjury that all of the foregoing is true and correct.

Executed on June 13, 2013

/Barry Neil Shrum/  
By \_\_\_\_\_  
Barry Neil Shrum, Esq.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that on June 13, 2013, this correspondence is being filed electronically with the U.S. Patent and Trademark Office.

/Barry Neil Shrum/  
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Barry Neil Shrum, Esq.