

ESTTA Tracking number: **ESTTA632682**

Filing date: **10/14/2014**

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	Union Craft Brewing Company, LLC DBA Union Craft Brewing Company		
Entity	Limited Liability Company	Citizenship	Maryland
Address	1700 Union Avenue Baltimore, MD 21211 UNITED STATES		

Attorney information	Glenn A. Rice Funkhouser Vegosen Liebman & Dunn Ltd. 55 W. Monroe St., Suite 2300 Chicago, IL 60603 UNITED STATES grice@fvldlaw.com Phone:312 701-6895		
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Registration Subject to Cancellation

Registration No	3079072	Registration date	04/11/2006
Registrant	BICKFORD'S TRADING PTY LTD 162 CROSS KEYS ROAD SALISBURY SOUTH SA, 5106 AUSTRALIA		

Goods/Services Subject to Cancellation

Class 033. First Use: 2004/03/31 First Use In Commerce: 2004/03/31 All goods and services in the class are cancelled, namely: Wines
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Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	Black Wing Petition To Cancel.pdf(16201 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	/Glenn Rice/
Name	Glenn A. Rice
Date	10/14/2014

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

In the matter of Registration No. 3,079,072

For the mark BLACK WING

**UNION CRAFT BREWING, LLC
DBA UNION CRAFT BREWING COMPANY,
Petitioner,**

v.

**BICKFORD'S TRADING PTY LTD,
Registrant.**

PETITION TO CANCEL

Petitioner Union Craft Brewing Company, LLC DBA Union Craft Brewing Company is a Maryland limited liability company doing business at 1700 Union Avenue, Baltimore, Maryland 21211.

To the best of Petitioner's knowledge, the name of the current owner of the above-identified registration is BICKFORD'S TRADING PTY LTD, whose last reported address is 162 Cross Keys Road, Salisbury South SA, Australia 5106.

Petitioner believes that it will be damaged by the continued registration of the above-identified registration and hereby petitions to cancel the same on the grounds stated below:

1. Petitioner has applied to register its BLACKWING mark for beer, Application Serial No. 86320831.

2. The BLACKWING mark is of significant value to Petitioner as an identification of the source and origin of Petitioner's beer and it distinguishes Petitioner's beer from beer produced by others.

3. The mark BLACK WING, in Registration No. 3,079,072, which stands in the name of Registrant for wines, has been cited for refusing registration of Petitioner's BLACKWING trademark pursuant to Section 2(d) of the Trademark Act.

4. On information and belief, Registrant has abandoned the mark BLACK WING by discontinuing use of the mark with no intent to resume use thereof. Accordingly, the registration for the BLACK WING mark should be cancelled on the ground of abandonment.

5. By reason of the foregoing, Registrant's continued ownership of Registration No. 3,079,072 is damaging to Petitioner.

WHEREFORE, Petitioner requests that this Petition to Cancel be sustained in its favor and Registration No. 3,079,072 for the mark BLACK WING be cancelled.

Please address all correspondence to Glenn A. Rice at Funkhouser Vegosen Liebman & Dunn Ltd., 55 W. Monroe, Suite 2300, Chicago, Illinois 60603.

Respectfully submitted,

Dated: October 14, 2014

**UNION CRAFT BREWING, LLC DBA
UNION CRAFT BREWING COMPANY,
Petitioner**

/s/Glenn A. Rice

Attorney for Petitioner

Glenn A. Rice, Esq.
**FUNKHOUSER VEGOSEN LIEBMAN
& DUNN LTD.**
55 West Monroe Street, Suite 2300
Chicago, Illinois 60603
(312) 701-6800
Attorney for Petitioner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has caused the foregoing **Petition to Cancel** to be served upon Registrant in these proceedings by depositing a true copy of the same with the United States Postal Service as first class mail in a sealed envelope, first-class postage prepaid, addressed to BICKFORD'S TRADING PTY LTD, 162 Cross Keys Road, Salisbury South SA, Australia 5106 on this 14th day of October, 2014.

/s/Glenn A. Rice

Counsel for Petitioner
Union Craft Brewing, LLC DBA Union Craft
Brewing Company