

ESTTA Tracking number: **ESTTA752087**

Filing date: **06/13/2016**

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	ARCA REGLER GMBH		
Entity	Limited Liability Company	Citizenship	Germany
Address	Kempener Str. 18 Tönisvorst, 47918 GERMANY		

Correspondence information	Mark Lebow Attorney for Petitioner Ladas & Parry 1727 King Street Suite 105 Alexandria, VA 22314 UNITED STATES mlebow@ladas.com, avmail@ladas.com Phone:703-837-9600
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Registration Subject to Cancellation

Registration No	4074512	Registration date	12/20/2011
Registrant	Greenbild Manufacturing, LLC 130 Mat Trail Palatka, FL 32177 UNITED STATES		

Goods/Services Subject to Cancellation

Class 011. First Use: 2011/06/30 First Use In Commerce: 2011/06/30 All goods and services in the class are cancelled, namely: Geothermal heat pump system components, namely, ground loop flow control unit
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Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	2016-06-13 Petition to Cancel.pdf(11204 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	/ml/
Name	Mark Lebow

Date	06/13/2016
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

ARCA REGLER GMBH,

Petitioner,

v.

GREENBILD MANUFACTURING, LLC,

Respondent.

Cancellation No.

Registration No. 4074512

PETITION FOR CANCELLATION

Petitioner ARCA REGLER GMBH is a German limited liability company with its principal place of business located at Kempener Str. 18, 47918 Tönisvorst, Germany.

Respondent GREENBILD MANUFACTURING, LLC is defunct Florida corporation with a listed address of 130 Mat Trail, Palatka, Florida 32177.

Petitioner believes that it will be damaged by the continued registration of the mark ECOTROL as shown in Registration No. 4074512 for goods in International Class 11 and hereby petitions to cancel the same.

In support of this Petition, Petitioner alleges as follows:

1. Petitioner is the owner of the mark ECOTROL and U.S. Trademark Application Serial No. 79171303 (“Petitioner’s Application”) for the mark ECOTROL for use on or in connection with “Control valves for the process industry for use in fluid transporting pipes (so far as included in this class)” in Class 6; “Control valves for

- the process industry for use in fluid transporting pipes (so far as included in this class)” in Class 7; and “Control valves for the process industry for use in fluid transporting pipes (so far as included in this class)” in Class 11.
2. The Examining Attorney assigned to Petitioner’s Application has refused registration based on likelihood of confusion with the mark ECOTROL in Registration No. 4074512 (“the Registration”) for use with “Geothermal heat pump system components, namely, ground loop flow control unit” in Class 11, which registered on December 20, 2011.
 3. Respondent was dissolved pursuant to Florida Statute 608.445 on April 11, 2013 by filing a document entitled “Articles of Dissolution” that was signed by Respondent’s Managing Member, James N. Hume and submitted to the Secretary of State of Florida’s Department of State, Division of Corporations.
 4. In the Articles of Dissolution set forth in paragraph 3 above, Respondent indicated that it had “no business and no income”.
 5. Upon information and belief, Respondent is no longer using the Mark ECOTROL in the Registration and has abandoned that mark due to nonuse with no intent to resume and use.
 6. Accordingly, the Registration should be cancelled based on nonuse and abandonment.

WHEREFORE, Petitioner believes that it is and will be damaged by continued registration of the mark ECOTROL in Registration No. 4074512 and therefore requests cancellation of the Registration on the ground of nonuse and abandonment with no intent to resume use.

Respectfully submitted,

/Mark Lebow/
Mark Lebow
Attorney for Petitioner
Ladas & Parry
1727 King Street, Suite 105
Alexandria, VA 22314
Tel: (703) 837-9600

CERTIFICATE OF SERVICE

I hereby certify the foregoing Petition to Cancel was served by U.S. mail, first class, postage prepaid, to Greenbild Manufacturing, LLC 130 Mat Trail, Palatka, Florida 32177 this 13th day of June 2016.

/Mark Lebow/
Mark Lebow