

ESTTA Tracking number: **ESTTA762610**

Filing date: **08/04/2016**

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	8th Street Branding, LLC		
Entity	Limited Liability Company	Citizenship	California
Address	315 E. 8th Street Suite 202 Glendale, CA 90014 UNITED STATES		

Attorney information	Meghry Garabedian Ourfalian & Ourfalian Attorneys at Law 700 N. Brand Blvd. Suite 1150 Glendale, CA 91203 UNITED STATES meg@ourfalianlaw.com Phone:(818) 550-7777		
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Registration Subject to Cancellation

Registration No	4338118	Registration date	05/21/2013
Registrant	ATKL FASHION LLC #555 Beverly Hills, CA 90211 UNITED STATES		

Goods/Services Subject to Cancellation

Class 025. First Use: 2010/03/01 First Use In Commerce: 2010/03/01 All goods and services in the class are cancelled, namely: Belts; Coats; Dresses; Hats; Jackets; Jeans; Pants; Scarves; Shirts; Shoes; Skirts; Suits; Swim suits; Wristbands
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Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	Petition for Cancellation - Street Label Los Angeles.pdf(144959 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	/Meghry Garabedian/
Name	Meghry Garabedian
Date	08/04/2016

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

In the Matter of U.S. Trademark Registration No.: 4338118

For the Mark: STREET LABEL LOS ANGELES

Date of Registration: May 21, 2013

8TH STREET BRANDING LLC

v.

ATKL FASHION LLC

PETITION TO CANCEL

8th STREET BRANDING LLC [hereinafter "Petitioner"], a California Limited Liability Company with an address at 315 East 8th Street, Suite 202, Los Angeles, California 90014

To the best of Petitioner's knowledge, the name and address of the current owner of the registration are ATKL FASHION, LLC, 264 South La Cienega Boulevard, #555, Beverly Hills, California 90211 [hereinafter "Registrant"].

The above-identified Petitioner believes that it has been damaged and will continue to be damaged by the above-identified registration, and hereby petitions to cancel the same.

The grounds for cancellation are as follows:

1. Petitioner is the owner of U.S. Trademark Application Ser. No. 86784952 for the mark "Street Label Los Angeles" filed on October 12, 2015 covering "Belts; Coats; Dresses; Hats; Jackets; Jeans; Pants; Scarves; Shirts; Shoes; Skirts; Suits; Swim suits; Wristbands," in Class 25 [hereinafter the "Application"].

2. Petitioner has been and will continue to be damaged by the U.S. Trademark Registration No. 4338118 because the Application has been refused for registration by the Examining Attorney on the grounds that the Application is likely to be confused with the Registrant's Registered Trademark "Street Label Los Angeles."

ABANDONMENT OF MARK

3. Upon information and belief, Registrant is not currently using, and has not used for at least three years, and possibly longer, the "Street Label Los Angeles" mark.

4. Upon information and belief, Registrant's status as a Limited Liability Company has been suspended for at least the past three years by the State of California Franchise Tax Board, as indicated on the California Secretary of State website.

5. Petitioner is damaged and will continue to be damaged because Registrant's continued registration of the "Street Label Los Angeles" mark stands as a bar to Petitioner's ability to federally register and protect its "Street Label Los Angeles" mark.

WHEREFORE, Petitioner prays that this Petition for Cancellation of Registration No. 4338118 be granted, resulting in judgment entered against Registrant effecting the cancellation of the Registration.

Dated: August 4, 2016
Respectfully submitted,

By: /Meghry Garabedian/

Meghry Garabedian, Esq.
Attorney for Petitioner
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PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 700 N. Brand Blvd., Suite 1150, Glendale, CA 91203.

On **August 4, 2016**, I served true copies of the **PETITION TO CANCEL**, on Registrant and Correspondent, by placing them in sealed envelopes addressed as follows:

**Farid Faryab
P.O. Box 15925
Beverly Hills, CA 90209-1925**

**ATKL FASHION LLC
264 South La Cienega Blvd., #555
Beverly Hills, CA 90211**

**ATKL FASHION LLC
800 S. Victory Blvd, Ste. 103
Burbank, CA 91502**

**Manuk Mike Boyajian
10785 Des Moines Ave.
Porter Ranch, CA 91326**

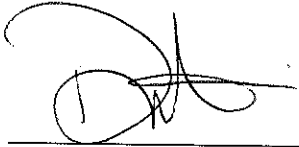
I served the above documents as follows::

- BY MAIL:** I am readily familiar with this office's practice of collection and processing correspondence and legal documents for mailing. Under that practice, it would be deposited with U.S. Postal Service on that same day in a sealed envelope with postage thereon fully prepaid at Glendale, California in the ordinary course of business.

BY FACSIMILE: By transmitting a true copy(ies) thereof by facsimile transmission from facsimile number (818) 550-7788 to the interested party(ies) to said action at the facsimile number(s) shown herein.

PERSONAL SERVICE: By causing a true copy thereof, enclosed in a sealed envelope, to be delivered by hand to the addressee(s) shown herein.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this day of **August 4, 2015** at Glendale, California.

A handwritten signature in black ink, appearing to be "Diane Astourian", written over a horizontal line.

Diane Astourian