Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

<table>
<thead>
<tr>
<th>Name</th>
<th>Smack Inc.</th>
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<tbody>
<tr>
<td>Entity</td>
<td>Corporation</td>
</tr>
<tr>
<td>Citizenship</td>
<td>Delaware</td>
</tr>
<tr>
<td>Address</td>
<td>186 South Street, Ste 403 Boston, MA 02111</td>
</tr>
<tr>
<td></td>
<td>UNITED STATES</td>
</tr>
</tbody>
</table>

Attorney information

Nicole Kinsley  
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155 Seaport Boulevard  
Boston, MA 02210  
UNITED STATES  
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Phone: 617-832-1000

Registration Subject to Cancellation

<table>
<thead>
<tr>
<th>Registration No</th>
<th>4150102</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration date</td>
<td>05/29/2012</td>
</tr>
</tbody>
</table>
| Registrant      | SMAK, LLC.  
PO Box 828  
RAYNHAM, MA 02768  
UNITED STATES |

Goods/Services Subject to Cancellation

Class 042. First Use: 2010/06/01 First Use In Commerce: 2010/09/01
All goods and services in the class are cancelled, namely: Providing a website featuring resources, namely, non-downloadable software for email, social media, and communication aggregation; Computer services, namely, hosting an interactive web site that allows aggregation of email, social media and communications

Grounds for Cancellation

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<tr>
<th>Abandonment</th>
<th>Trademark Act Section 14(3)</th>
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Attachments


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

/Nicole Kinsley/
PETITION FOR CANCELLATION

Smack Inc., a Delaware Corporation, having its place of business at 186 South Street, Suite 403, Boston, Massachusetts (“Petitioner”) believes that it is and/or will be damaged by the continued registration on the Principal Register of the mark SMAK, Reg. No. 4,150,102, by SMAK, LLC. (“Registrant”).

The grounds for this cancellation are as follows:

1. Petitioner’s mission is to give teens the power to make new friends, stay connected, and communicate online and through its mobile app.

2. Petitioner has applied to register the mark SMACK in connection with “Downloadable computer software for communicating via social networks; downloadable computer software for accessing, sending, and receiving information on a global computer network; downloadable computer software in the nature of a mobile application for real-time viewing and delivery of data, messages, location, photographs, links, text and other data; downloadable computer software for uploading news, educational, and entertainment information for sharing on and posting to social networks” in Class 9; “Chat room services for social networking” in Class 38; “On-line journals, namely, blogs featuring entertainment and
educational subject matter; providing a website featuring information in the fields of education and entertainment; providing a website featuring entertainment and educational information submitted by students” in Class 41; “Providing a website featuring technology that allows users to provide news, educational, and entertainment information for sharing on and posting to social networks; providing a website featuring technology that allows students to provide news, educational, and entertainment information for sharing on and posting to social networks; providing a website featuring technology for real-time social networking services” in Class 42; and “On-line social networking services” in Class 45, in Application Serial No. 86/829,103.

3. Petitioner has also applied to register the mark SmackHigh in connection with “Downloadable computer software for communicating via social networks; downloadable computer software for accessing, sending, and receiving information on a global computer network; downloadable computer software in the nature of a mobile application for real-time viewing and delivery of data, messages, location, photographs, links, text and other data; downloadable computer software for uploading news, educational, and entertainment information for sharing on and posting to social networks” in Class 9; and “Providing a website featuring technology that allows users to provide news, educational, and entertainment information for sharing on and posting to social networks; providing a website featuring technology that allows students to provide news, educational, and entertainment information for sharing on and posting to social networks; providing a website featuring technology for real-time social networking services” in Class 42.

4. Petitioner’s applications have been refused on the basis of likelihood of confusion due to Registrant’s registration for SMAK, Reg. No. 4,150,102, in connection with “Providing a website featuring resources, namely, non-downloadable software for email, social media, and
communication aggregation; Computer services, namely, hosting an interactive web site that allows aggregation of email, social media and communications” in Class 42.

5. The website at http://mysmak.com, apparently depicted in the specimen of use that Registrant submitted with its application on October 5, 2011, is no longer accessible, and after reasonable investigation Petitioner has been unable to locate any use of the mark SMAK by Registrant, or otherwise in connection with the services identified in its registration.

6. On information and belief, Registrant was dissolved by the Commonwealth of Massachusetts on June 30, 2015, and is no longer a going concern.

7. On information and belief, Registrant does not currently use the mark SMAK for the services identified in its registration.

8. On information and belief, Registrant’s mark SMAK has been abandoned.

WHEREFORE, Petitioner requests that this proceeding be decided in its favor, and that Reg. No. 4,150,102 be cancelled.

Respectfully submitted,

Smack Inc.

Dated: September 14, 2016

/Nicole Kinsley/
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nkinsley@foleyhoag.com

Attorneys for Petitioner
CERTIFICATE OF SERVICE

I hereby certify that a true copy of the Petition for Cancellation was served via First Class Mail upon Registrant on Sept. 14, 2016, as follows:

SMAK, LLC.
PO Box 828
Raynham, Massachusetts 02768

/Nicole Kinsley/
Nicole Kinsley