

ESTTA Tracking number: **ESTTA858203**

Filing date: **11/14/2017**

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 has filed a petition to cancel the registration indicated below.

**Petitioner Information**

Name	Good Juju Ink, LLC		
Entity	Limited Liability Company	Citizenship	California
Address	2001 Sacramento St. Apt 8 San Francisco, CA 94109 UNITED STATES		

Attorney information	Kelly Weiner Law Office of Kelly Weiner PLLC 175 Varick Street, Suite 661 New York, NY 10014 UNITED STATES Email: kweiner@kellyweinerlaw.com, docketing@kellyweinerlaw.com Phone: 2123602307		
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**Registration Subject to Cancellation**

Registration No.	5142469	Registration date	02/14/2017
Registrant	Good Juju Company, LLC 29 Brookhaven Lane Littleton, CO 80123 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 016. First Use: 2016/12/07 First Use In Commerce: 2016/12/07 All goods and services in the class are subject to cancellation, namely: Stationery
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**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
Abandonment	Trademark Act Section 14(3)

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

U.S. Application No.	87467723	Application Date	05/30/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GOOD JUJU INK		

Design Mark	<h1>GOOD JUJU INK</h1>
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 2016/09/14 First Use In Commerce: 2016/09/14 protective covers and cases for personal electronic devices; protective covers and cases for personal electronic devices, namely, tablets and cell phones</p> <p>Class 016. First use: First Use: 2014/05/04 First Use In Commerce: 2014/05/04 Greeting Cards, Art Prints, Notebooks, Notepads, Journals, Wrapping Paper, Folders, Stationery, Calendars, Gift Tags, Temporary Tattoo Transfers, Planners, Pencils, Pens, Paper Gift Cards, Stickers, Gift Bags, Washi Tape, Pencil Cases</p> <p>Class 027. First use: First Use: 0 First Use In Commerce: 0 wallpaper</p>

Attachments	87467723#TMSN.png( bytes ) 2017-11-10 - Petition to Cancel - GOOD JUJU - US Reg 5142469.pdf(86577 bytes )
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Signature	/kellyweiner/
Name	Kelly Weiner
Date	11/14/2017

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

In the matter of: Trademark Registration No. 5,142,469

For the mark: GOOD JUJU

Date registered: Feb. 14, 2017

GOOD JUJU INK, LLC	)	
PETITIONER	)	
v.	)	
	)	Cancellation No. _____
GOOD JUJU COMPANY, LLC	)	
REGISTRANT	)	

**PETITION FOR CANCELLATION**

This Petition for Cancellation is filed by Good Juju Ink, LLC, a California limited liability company with a business address of 2001 Sacramento St., Apt 8, San Francisco, CA 94109 (“Petitioner”), believes it will be damaged by the registration of the mark GOOD JUJU (“Registrant’s Mark”) in connection with “stationery” in Class 16 in Registration No. 5,142,469 (the “Registration”) and hereby petitions to cancel registration of the Registrant’s Mark in Class 16.

As grounds for cancellation, Petitioner, by and through its undersigned counsel, alleges the following:

1. Petitioner is a company in the business of selling, among other goods, stationery.
2. Petitioner is the owner of the GOOD JUJU INK mark (“Petitioner’s Mark”) and has used Petitioner’s Mark on stationery continuously since at least May 4, 2014.
3. Long after Petitioner established rights in and to GOOD JUJU INK, and with actual notice of Petitioner’s established rights in and to GOOD JUJU INK, Good Juju Company, LLC (“Registrant”) obtained a registration for GOOD JUJU for “stationery” in Class 16 as set forth in the Registration.

4. Petitioner's Mark has priority over Registrant's Mark because Petitioner's first use of Petitioner's Mark is May 4, 2014, prior to the priority date of the Registration and Registrant's first use of Registrant's Mark.

5. Registrant's Mark is nearly identical to Petitioner's Mark in sound, appearance and commercial impression.

6. The goods set forth in the Registration are the same as the goods Petitioner offers in connection with Petitioner's Mark, and will be sold and distributed through the same channels of trade, in that consumers who encounter Registrant's Mark are likely to think that the same company that offers Registrant's stationery might be authorized, sponsored, licensed by, affiliated with or related to the company that offers Petitioner's stationery.

7. As a result, Registrant's use of GOOD JUJU in commerce in conjunction with stationery, in light of the similarity of the GOOD JUJU and GOOD JUJU INK marks and the similarity of the parties' respective goods, channels of trade and target purchasers (among other reasons), many actual and prospective purchasers who encounter Registrant's Mark are likely to think that the stationery offered under the GOOD JUJU mark, is authorized by, sponsored by, licensed by, affiliated with or related to the company that offers Petitioner's GOOD JUJU INK stationery, or that the GOOD JUJU and GOOD JUJU INK stationery are the same or are otherwise related.

8. Accordingly, Registrant's Mark, if used in conjunction with stationery, is likely to cause confusion, mistake, or to deceive as to the origin, source, sponsorship or affiliation of Registrant's goods within the meaning of 15 U.S.C. § 1052(d).

9. On information and belief, Registrant is not making *bona fide* use of Registrant's Mark and has no intention of continuing to use the Registrant's Mark in connection with

stationery. Accordingly, Registrant has abandoned Registration's Mark in connection with stationery and, pursuant to 15 U.S.C. § 1064(3), Class 16 of the Registration should be cancelled.

WHEREFORE, for all of the foregoing reasons and for such other reasons as the Board determines are appropriate, Petitioner respectfully prays that this Petition be sustained and that Registrant's subject registration be cancelled.

Date: November 14, 2017

*Kelly Weiner*

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