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Filing date: **05/16/2018**

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	The Board Room DC, LLC		
Entity	Limited liability company	Citizenship	District of Columbia
Address	Suite 724 5815 MacArthur Boulevard Washington, DC 20016 UNITED STATES		

Attorney information	Janet F. Satterthwaite Potomac Law Group Suite 700 1300 Pennsylvania Ave NW Washington, DC 20004 UNITED STATES Email: tm@potomaclaw.com, jsatterthwaite@potomaclaw.com Phone: 2024861578		
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Registration Subject to Cancellation

Registration No.	5158904	Registration date	03/14/2017
Registrant	Faber Brothers, LLC 3343 NE 32 Street Fort Lauderdale, FL 33308 UNITED STATES		

Goods/Services Subject to Cancellation

Class 043. First Use: 2013/09/21 First Use In Commerce: 2013/09/21 All goods and services in the class are subject to cancellation, namely: Bar services

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
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Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	87349340	Application Date	02/24/2017
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	THE BOARD ROOM		

Design Mark	THE BOARD ROOM
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 2012/12/31 First Use In Commerce: 2012/12/31 providing facilities for recreational activities, namely, board games, card games, video games Class 043. First use: First Use: 2012/12/31 First Use In Commerce: 2012/12/31 Bar services

Attachments	87349340#TMSN.png(bytes) Petition for Cancellation 4-30 BOARD ROOM.pdf(76213 bytes)
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Signature	/Janet F. SATTERTHWAITE/
Name	Janet F. Satterthwaite
Date	05/16/2018

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

The Board Room DC, LLC)	
)	
)	
Petitioner,)	
)	
v.)	Cancellation No.
)	Reg. No. 5158904
Faber Brothers, LLC)	
Registrant.)	
)	

PETITION FOR CANCELLATION

In the matter of the registration of the trademark of Faber Brothers, LLC, Reg. No 5158904, Petitioner, The Board Room DC, LLC, a District of Columbia Delaware limited liability company located at #724 5815 Macarthur Blvd. Washington D.C. 20016, believes that it will be damaged by continued registration of the mark shown in said Registration and hereby petitions for cancellation of same.

As grounds in support of this Petition, Petitioner asserts the following:

1. Petitioner is the owner of the trademark THE BOARD ROOM for bar and gaming services.
2. Petitioner has used the mark THE BOARD ROOM in commerce since at least as early as 2012.
3. On February 24, 2017, Petitioner filed an application, Serial No. 87349340, for THE BOARD ROOM which covers “providing facilities for recreational activities, namely, board games, card games, video games” in Class 14, and “Bar services” in Class 43. (“ Petitioner’s Mark.”)

4. The Examining Attorney has cited the captioned registration as a bar to registration of Petitioner's Mark in a final office action dated November 28, 2017.

5. The captioned registration was filed on January 15, 2016, citing a first-use date of September 21, 2013

6. On information and belief, the mark that is the subject of the captioned registration was not in use in commerce before September 21, 2013.

7. On information and belief, the Registrant of the captioned registration can claim no priority over Petitioner's prior common-law rights.

8. Petitioner is damaged by continued registration of the captioned registration because the Examiner believes that it poses a bar to registration of Petitioner's Mark.

9. Petitioner is damaged by continued registration of the captioned registration because use and registration of this mark is likely to cause confusion as to the association with, or sponsorship by, Petitioner.

10. Petitioner requests that the captioned registration be cancelled.

Respectfully submitted,

The Board Room DC, LLC

Dated: May 16, 2018

By:



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