

ESTTA Tracking number: **ESTTA925702**

Filing date: **10/02/2018**

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	Nomad Barber Grooming Limited		
Entity	limited company	Citizenship	England
Address	Heneage Street London, E15LI UNITED KINGDOM		

Attorney information	Mark Harrison Venable LLP P.O. Box 34385 Washington, DC 20043-9998 UNITED STATES mbharrison@venable.com, trademarkdocket@venable.com 2023444019		
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Registration Subject to Cancellation

Registration No.	2392264	Registration date	10/03/2000
Registrant	Crabtree & Evelyn, Ltd. 102 Peake Brook Road Woodstock, CT 06281 UNITED STATES		

Goods/Services Subject to Cancellation

Class 003. First Use: 1999/06/10 First Use In Commerce: 1999/06/10 All goods and services in the class are subject to cancellation, namely: Personal care products for men, namely, cologne, [after shave lotion,] after shave skin balm, shaving cream, skin soap, shower gel, [personal deodorant;] combinations of some or all of the foregoing goods sold as a unit with travel kits

Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	Nomad Barber Grooming Limited v. Crabtree & Evelyn Ltd. NOMAD Petition for Cancellation Reg No 2392264.pdf(10566 bytes) NOMAD Exhibit A.pdf(476927 bytes)
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Signature	/Mark Harrison/
Name	Mark Harrison

Date	10/02/2018
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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Nomad Barber Grooming Limited)	
)	
Petitioner,)	
)	
v.)	Cancellation No. _____
)	Mark: NOMAD
Crabtree & Evelyn, Ltd.)	Registration No. 2392264
)	
Registrant.)	
<hr/>)	

Attorney's Reference: 60895-436847

ATTN: BOX TTAB – FEE

PETITION TO CANCEL REGISTRATION NO. 2392264

Nomad Barber Grooming Limited a limited company of England, with an address at Heneage Street, London, United Kingdom E15LI, (“Petitioner”) believes that it is and will be damaged by Registration No. 2392264 and hereby petitions to cancel the same.

As grounds for this Petition, it is alleged:

1. On June 15, 2017 Petitioner filed U.S. Trademark Application Serial No. 87/490454, for the mark NOMAD BARBER covering “Hair care preparations and non-medicated hair treatments for cosmetic purposes; hair cleaning preparations; hair styling preparations; hair coloring and hair color tinting preparations; hair dressings for men; hair removal and shaving preparations; pre-shaving preparations; after-shave preparations; shaving creams, lotions and balms, lotions for beards; coloring tinting preparations for the beard; moustache wax; cosmetic preparations; washing preparations; Non-medicated toiletry preparations for men” in Class 3.

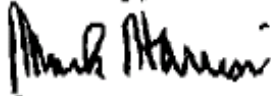
2. On April 11, 2018 the U.S. Patent and Trademark Office issued a final refusal of registration of Petitioner's mark based on likelihood of confusion with Registration No. 2392264 for the mark NOMAD (hereinafter "the Registered Mark") covering
 - a. Class 3: Personal care products for men, namely, cologne, after shave skin balm, shaving cream, skin soap, shower gel, combinations of some or all of the foregoing goods sold as a unit with travel kits.
3. Upon information and belief, Registrant is not currently using in the U.S., has no intent to resume use in the U.S., and has consequently abandoned use of the Registered Mark in the United States in connection with the goods listed in the subject registration.
4. Upon information and belief, the Registrant changed the mark NOMAD to MOROCCAN MYRRH.
5. Upon information and belief, products that Registrant offered in the U.S. under the mark NOMAD are now offered in the U.S. under the mark MOROCCAN MYRRH.
6. Attached as Exhibit "A" are printouts from Registrant's web site that indicate that the "Collection Formerly Known As NOMAD" is now called MOROCCAN MYRRH, and that "[the] aromatic Nomad collection has returned with a new design and renamed Moroccan Myrrh."
7. Registrant no longer produces and offers product in the U.S. under the trademark NOMAD.
8. If the Registrant is permitted to retain Registration No. 2392264, a cloud will be placed on Petitioner's Application, on the mark that is the subject of Petitioner's Application Serial No. 87/490454, and on Petitioner's right to use, register and expand the use of that mark. Continued registration of the Registered Mark would thus be a source of damage and injury to the Petitioner.

WHEREFORE, Petitioner respectfully requests that this Petition be granted and that Registration No. 2392264 be canceled.

Please charge any required or missing fees to Deposit Account No. 22-0261.

Please conduct all correspondence in this matter with the undersigned at the below address.

Respectfully submitted,



Date: October 2, 2018

Mark B. Harrison
Rebecca Liebowitz
Catherine Mitros
Venable LLP
P.O. Box 34385
Washington, D.C. 20048-9998
Telephone: 202-344-4019
Attorneys for Petitioner

EXHIBIT "A"

PICK 3 FOR \$48

100g Hand Therapy

SHOP NOW >

Moroccan Myrrh

Intrigue beckons from tropical far-off lands with this exotic blend of myrrh, lively notes of bergamot and warm spices.



Moroccan Myrrh ⌵

(1 PRODUCTS)

SORT BY:

COLLECTION FORMERLY KNOWN AS **NOMAD**® ~ SAME FRAGRANCE. NEW NAME.



Moroccan Myrrh
Moroccan Myrrh Aftershave Balm

~~\$32.00~~ **SALE \$16.00**

Scroll to top

PICK 3 FOR \$48

100g Hand Therapy

SHOP NOW >

Moroccan Myrrh

Intrigue beckons from tropical far-off lands with this exotic blend of myrrh, lively notes of bergamot and warm spices.



Moroccan Myrrh

(1 PRODUCTS)

COLLECTION FORMER



Moroccan Myrrh Moroccan Myrrh Aftershave Balm

SALE \$32.00 **\$16.00**



Moroccan Myrrh

Moroccan Myrrh Aftershave Balm

Product #80135

Our beloved aromatic Nomad collection has returned with a new design and renamed Moroccan Myrrh, but the scent remains unchanged. This alcohol-free balm is formulated with conditioning extracts to moisturise and calm the skin after shaving and is scented with warm and spicy myrrh blended with the lively notes of bergamot and cardamom. *Includes moisturising ingredients *Soothes the skin whilst conditioning.

SALE ~~\$32.00~~ **\$16.00**

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