

ESTTA Tracking number: **ESTTA1016844**

Filing date: **11/19/2019**

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	Europa Profil Aluminio S.A.		
Entity	Corporation	Citizenship	Greece
Address	56th km. National Road of the Athens Inofita, 32011 GREECE		

Attorney information	Vivek Vaidya Bend Law Group, P.C. 555 California Street Suite 4925 San Francisco, CA 94104 UNITED STATES vivek@blgtrademarks.com 4154390153
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**Registration Subject to Cancellation**

Registration No.	1175187	Registration date	10/27/1981
Registrant	PANELFOLD, INC. 10700 N.W. 36TH AVE. MIAMI, FL 33167 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 019. First Use: 1980/10/07 First Use In Commerce: 1980/10/07 All goods and services in the class are subject to cancellation, namely: FOLDING DOORS AND PARTS THEREOF
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**Grounds for Cancellation**

Abandonment	Trademark Act Section 14(3)
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Attachments	Petition_for_Cancellation_-_EUROPA.pdf(136638 bytes )
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Signature	/Vivek Vaidya/
Name	Vivek Vaidya
Date	11/19/2019

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

In the Matter of Registration No. 1175187  
For the mark: EUROPA  
Registered: October 27, 1981

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Europa Profil Aluminio S.A.,	:	
	:	
Petitioner,	:	
	:	
v.	:	
	:	
Panelfold, Inc. Corporation	:	
	:	
Respondent.	:	

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**PETITION FOR CANCELLATION**

Europa Profil Aluminio S.A. ("Petitioner"), a corporation organized and existing under the laws of Greece with a principal place of business at 56th km. National Road of the Athens - Lamia; Inofita, Viotia Greece 32011, believes that it will be damaged by the continued registration of U.S. Trademark Registration No. 1175187 for the mark EUROPA in connection with "folding doors and parts thereof" (the "Registration"), and hereby petitions for cancellation of same pursuant to Section 14(3) of the Lanham Trademark Act of 1946 ("Lanham Act"), 15 U.S.C. § 1064(3). As grounds for cancellation, Petitioner alleges as follows:

1. Petitioner has used the marks EUROPA ALUMINIUM SYSTEMS and EUROPA ALUMINIUM SYSTEMS HYBRID in U.S. commerce in connection with aluminum products for architectural purposes since at least June 5, 2018.
  
2. Petitioner filed Application Serial Numbers 87949722 and 87949736 (the "Applications") for the EUROPA ALUMINIUM SYSTEMS and EUROPA ALUMINIUM SYSTEMS HYBRID in connection with "aluminum products for architectural purposes."


3. In office actions dated May 20, 2019 (the "Office Actions"), the USPTO has cited Respondent's Registration against the Applications, thereby interfering with Petitioner's Applications and causing harm to Petitioner. Petitioner therefore has a real interest in seeking cancellation of the Registration and standing to bring this action.

4. Respondent, with an address of 10700 N.W. 36th Ave. Miami, Florida 33167 is the current listed owner of the Registration.

5. On information and belief, Respondent has discontinued use of the EUROPA mark in connection with all of the goods identified in the Registration for a period exceeding three years. Upon further information and belief, Respondent intends not to resume use of the mark in connection with these goods in U.S. commerce. Accordingly, Respondent has abandoned the EUROPA mark in connection with these goods, and Registration No. 1175187 is subject to partial cancellation pursuant to 15 U.S.C. § 1064(3).

WHEREFORE, Petitioner respectfully prays that its cancellation be sustained and that the goods "folding doors and parts thereof" be deleted from Respondent's Registration No. 1175187 be cancelled.

Dated: November 19, 2019  
San Francisco, California

Respectfully submitted,  
Bend Law Group, PC  
  
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Attorneys for Europa Profil Aluminio S.A.,

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was sent by email, on this 19<sup>th</sup> day of November, 2019, to Marsha G. Gentner of Dykema Gossett PLLc at [ipmail@dykema.com](mailto:ipmail@dykema.com) and [mgentner@dykema.com](mailto:mgentner@dykema.com).

*Vivek Vaidya*  
Vivek Vaidya