

ESTTA Tracking number: **ESTTA1132869**

Filing date: **05/11/2021**

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	Creative Success Alliance Corporation doing business as RE Mentor		
Entity	Corporation	Citizenship	Massachusetts
Address	100 WEYMOUTH STREET SUITE D-2 ROCKLAND, MA 02370 UNITED STATES		
Attorney information	MARIA CRIMI SPETH JABURG & WILK, P.C. 3200 NORTH CENTRAL AVENUE SUITE 2000 PHOENIX, AZ 85012 UNITED STATES Primary Email: mcs@jaburgwilk.com 6022481089		
Docket Number			

**Registration Subject to Cancellation**

Registration No.	6337077	Registration date	04/27/2021
Registrant	Real Estate Mentor LLC 7600 WOODLAND DRIVE ALVARADO, TX 76009 UNITED STATES		

**Goods/Services Subject to Cancellation**

<p>Class 009. First Use: 2021/01/24 First Use In Commerce: 2021/01/24 All goods and services in the class are subject to cancellation, namely: Downloadable computer application software for mobile phones, namely, software for guiding and tracking network activities of real estate agents; Downloadable computer application software for mobilephones, namely, software for training real estate agents; Downloadable computerapplication software for mobile phones,namely, software for assisting real estate agents by providing scheduling, reminders, and alerts, logging of activitiesand transactions, details of in processtransactions, and network contacts; Downloadable software in the nature of a mobile application for guiding and tracking network activities of real estate agents; Downloadable software in the nature of a mobile application for training real estate agents; Downloadable software in the nature of a mobile application forassisting real estate agents by providing scheduling, reminders, and alerts, logging of activities and transactions, details of in process transactions, and network contacts</p>
--

**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
--------------------------------------	---------------------------------------

### Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	90266343	Application Date	10/20/2020
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	RE MENTOR		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 2002/11/25 First Use In Commerce: 2002/11/25 Digital media, namely, CDs, DVDs, and downloadable audio and multimedia files featuring educational content in the field of real estate and real estate investing</p> <p>Class 041. First use: First Use: 2002/11/25 First Use In Commerce: 2002/11/25 Education services, namely, providing non-downloadable webinars in the field of real estate and real estate investing; Educational services, namely, conducting live and virtual seminars and workshops in the fields of real estate and real estate investing and distribution of training materials in connection therewith; Professional coaching services in the field of real estate and real estate investing</p>		

Attachments	90266343#TMSN.png( bytes ) Creative Success Alliance.pdf(143910 bytes )
-------------	--

Signature	/mariacrimispeth/
Name	Maria Crimi Speth
Date	05/11/2021

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**TRADEMARK TRIAL AND APPEAL BOARD**

Creative Success Alliance Corporation, a  
Massachusetts corporation, doing business  
as RE Mentor,

Opposer,

v.

Real Estate Mentor, LLC, a Texas limited  
liability company,

Applicant.

Cancellation No. \_\_\_\_\_

Mark: **REAL ESTATE MENTOR**

Registration No. 6,337,077

Registration Date: April 27, 2021

**PETITION FOR CANCELLATION**

Petitioner Creative Success Alliance Corporation doing business as RE Mentor (“Petitioner”), with its principal place of business at 100 Weymouth Street, Suite D-2, Rockland Massachusetts 02370, believes it will be damaged by the continued registration of U.S. Trademark Registration No. 6,337,077 for the mark REAL ESTATE MENTOR in International Class 009 in connection with “*Downloadable computer application software for mobile phones, namely, software for guiding and tracking network activities of real estate agents; Downloadable computer application software for mobile phones, namely, software for training real estate agents; Downloadable computer application software for mobile phones, namely, software for assisting real estate agents by providing scheduling, reminders, and alerts, logging of activities and transactions, details of in process transactions, and network contacts; Downloadable software in the nature of a mobile application for guiding and tracking network activities of real estate agents; Downloadable software in the nature of a mobile application for training real estate agents; Downloadable software in the nature of a mobile application for assisting*”

*real estate agents by providing scheduling, reminders, and alerts, logging of activities and transactions, details of in process transactions, and network contacts.”* (the “**Registered Mark**”). Petitioner hereby petitions for cancellation of the same. As grounds for cancellation, Petitioner alleges as follows:

1. Petitioner has continually used the mark RE MENTOR in commerce throughout the United States in connection with *Digital media, namely, CDs, DVDs, and downloadable audio and multimedia files featuring educational content in the field of real estate and real estate investing* in Class 009 since November 25, 2002.

2. Petitioner has continually used the mark RE MENTOR in commerce throughout the United States in connection with *Education services, namely, providing non-downloadable webinars in the field of real estate and real estate investing; Educational services, namely, conducting live and virtual seminars and workshops in the fields of real estate and real estate investing and distribution of training materials in connection therewith; Professional coaching services in the field of real estate and real estate investing* in Class 041 since November 25, 2002.

3. On June 6, 2020, Petitioner filed a federal trademark application for the mark RE MENTOR in connection with the services set forth in paragraphs 1 and 2 above. (U.S. Serial No. 90266343).

4. Petitioner’s application to register the RE MENTOR mark was initially denied due to a conflict with the Registered Mark.

5. Registrant Real Estate Mentor, LLC, with an address of 7600 Woodland Drive Alvarado Texas 76009, (“Registrant”) is the current listed owner of the Registered Mark.

6. The Registered Mark is likely to cause confusion with Petitioner’s RE MENTOR mark.

7. Registrant’s filing date was June 5, 2020 and Registrant claims a date of first use in commerce of January 24, 2021 for the mark REAL ESTATE MENTOR.

8. Petitioner's date of first use in commerce of RE MENTOR precedes Registrant's filing date and claimed date of first use in commerce for the Registered Mark by over 17 years.

9. Petitioner's trademark rights in its RE MENTOR mark are superior to Registrant's rights in the Registered Mark.

10. Accordingly, the Registered Marks should be cancelled on grounds of priority.

11. Petitioner has been and continues to be damaged by the continued registration of the Registered Marks.

WHEREFORE, Petitioner respectfully requests that this Petition be granted and that the Registered Marks be cancelled.

Dated: May 11, 2021

**Respectfully submitted,**

/s/Maria Crimi Speth  
Maria Crimi Speth  
Jaburg & Wilk, P.C.  
3200 N. Central Avenue, 20th Floor  
Phoenix, AZ 85012  
(602) 24-1000  
[mcs@jaburgwilk.com](mailto:mcs@jaburgwilk.com)

*Attorneys for Creative Success Alliance  
Corporation*

**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this document is being filed via the online TTAB filing system (ESTTA) accessed through the United States Patent and Trademark Office website ([www.uspto.gov](http://www.uspto.gov)) and a copy sent by First Class U.S. Mail to:

Beth Felix  
Leavitt Eldredge Law Firm  
4204 SW Green Oaks Blvd, #140  
Arlington, Texas 76017

Signature: /s/Debra Gower

Date: May 11, 2021