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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	M1 Holdings Inc.		
Entity	Corporation	Citizenship	Delaware
Address	200 NORTH LASALLE STREET SUITE 800 CHICAGO, IL 60601 UNITED STATES		
Attorney information	PETER G. HAWKINS ACTUATE LAW LLC 641 W. LAKE STREET 5TH FLOOR CHICAGO, IL 60661 UNITED STATES Primary Email: peter.hawkins@actuatelaw.com Secondary Email(s): stacy.baim@actuatelaw.com, johanna.aceves@actuatelaw.com 312-579-3009		
Docket Number	0331-0014		

Registration Subject to Cancellation

Registration No.	2664321	Registration date	12/17/2002
Registrant	MidFirst Bank 501 NORTHWEST GRAND BOULEVARD, 3RD FLOOR OKLAHOMA CITY, OK 73118 UNITED STATES		

Goods/Services Subject to Cancellation

Class 036. First Use: 1986/01/01 First Use In Commerce: 1986/01/01 All goods and services in the class are subject to cancellation, namely: Banking services; namely, checking account services, investment account services, savings account services, money market account services, commercial account services, certificate of deposit services, lines of credit services, ATM card services, individual retirement account services, home equity loan services, automobile loan services, and preparation of financial statements for others
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Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	M1 Holdings Inc. v. MidFirst Bank - Petition to Cancel U.S. Trademark Registration No. 2,664,321.pdf(82896 bytes)
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Signature	/Peter G. Hawkins/
Name	Peter G. Hawkins
Date	07/03/2021

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

M1 HOLDINGS INC.,

Petitioner,

vs.

MIDFIRST BANK,

Respondent.

Cancellation No.: To Be Assigned

Registration No.: 2,664,321

Issued: December 17, 2002

Mark: M1 & Design

PETITION FOR CANCELLATION

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Dear Commissioner:

M1 Holdings Inc. ("Petitioner"), a Delaware corporation having its address at 200 N. LaSalle Street, Chicago, Illinois 60601, believes that it is and will continue to be injured if the mark in Registration No. 2,664,321 is not canceled, and hereby petitions to cancel the same.

To the best of Petitioner's knowledge, the name and address of the current owner of the registration is MidFirst Bank ("Respondent"), located at 501 NW Grand Boulevard, Oklahoma City, Oklahoma 73118.

The grounds for cancellation are as follows:

1. Respondent owns Registration No. 2,664,321 for the M1 & Design mark "**M**". The registration issued on December 17, 2002 for "Banking services; namely, checking account services, investment account services, savings account services, money market account services, commercial account services, certificate of deposit services, lines of credit services, ATM card

services, individual retirement account services, home equity loan services, automobile loan services, and preparation of financial statements for others,” in Class 036.

2. Petitioner, after conducting a diligent inquiry, has been unable to identify any advertising, display, signage, or other specimen depicting continued use of Respondent’s M1 & Design mark as registered in Registration No. 2,664,321.

3. Respondent has, on information and belief, abandoned all use in the United States of Registration No. 2,664,321 for “Banking services; namely, checking account services, investment account services, savings account services, money market account services, commercial account services, certificate of deposit services, lines of credit services, ATM card services, individual retirement account services, home equity loan services, automobile loan services, and preparation of financial statements for others,” in Class 036.

4. Petitioner has filed an application to register the standard character mark M1: THE FINANCE SUPER APP for “Downloadable software in the nature of a mobile application for brokerage and trading of investments, securities, stocks, bonds, capital investments, commodities, and equities; Downloadable software in the nature of a mobile application for providing information in the field of finance, securities trading, investments, and securities brokerages,” in Class 009. This application has been assigned Application Serial No. 90/149,274.

5. Petitioner has also filed an application to register the standard character mark M1: THE FINANCE SUPER APP for “Financial and investment services, namely, management and brokerage in the fields of stocks, bonds, options, commodities, futures and other securities, and the investment of funds of others; Financial information provided by electronic means in the field of stocks, bonds, options, commodities, futures and other securities, and the investment of funds of

others; Financial investment brokerage services; Electronic financial trading services,” in Class 036. This application has been assigned Application Serial No. 90/149,301.

6. Petitioner has also filed an application to register the standard character mark M1: THE FINANCE SUPER APP for “Providing a website featuring non-downloadable software for brokerage and trading of investments, securities, stocks, bonds, capital investments, commodities, and equities; Providing a website featuring non-downloadable software for providing information in the field of finance, securities trading, investments, and securities brokerages; Providing temporary use of a non-downloadable web application for brokerage and trading of investments, securities, stocks, bonds, capital investments, commodities, and equities; Providing temporary use of a non-downloadable web application for providing information in the field of finance, securities trading, investments, and securities brokerages” in Class 042. This application has been assigned Application Serial No. 90/149,314.

7. The Examining Attorney for each of the above applications has concluded that Petitioner’s trademarks for M1: THE FINANCE SUPER APP are likely to be confused with Respondent’s M1 & Design mark as registered in Registration No. 2,664,321, and has issued office actions under Section 2(d) of the Lanham Act refusing registration of Petitioner’s standard character mark M1: THE FINANCE SUPER APP for Classes 009, 036, and 042.

8. The continued registration of Respondent’s M1 & Design mark in Registration No. 2,664,321 will damage Petitioner, as it will prevent the registration of Petitioner’s standard character mark M1: THE FINANCE SUPER APP for Classes 009, 036, and 042 (Application Nos. 90/149,274; 90/149,301; and 90/149,314, respectively).

WHEREFORE, Petitioner prays that Registration No. 2,664,321, currently owned by Respondent, be cancelled.

Dated: July 3, 2021

Respectfully submitted,

By: /s/ Peter G. Hawkins

Peter G. Hawkins
Attorney for Petitioner
M1 Holdings Inc.

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