

ESTTA Tracking number: **ESTTA1173155**

Filing date: **11/17/2021**

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	My Own Meals, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	400 LAKE COOK ROAD SUITE 107 DEERFIELD, IL 60015 UNITED STATES		
Attorney information	MICHELE S. KATZ ADVITAM IP, LLC 150 S. WACKER DRIVE SUITE 2400 CHICAGO, IL 60606 UNITED STATES Primary Email: mskdocket@advitamip.com Secondary Email(s): atokarz@advitamip.com 312-332-7710		
Docket Number	758-16557		

Registration Subject to Cancellation

Registration No.	6003612	Registration date	03/03/2020
Registrant	Alimento Agro Foods Private Limited PLOT NO.1, ADMIN BLOCK, ROOM NO. 2 KORITAL FOOD PARK, CABLE NAGAR, KOTA RAJASTHAN, 324003 INX		

Goods/Services Subject to Cancellation

Class 030. First Use: 2017/05/01 First Use In Commerce: 2018/06/06

All goods and services in the class are subject to cancellation, namely: vermicelli; packaged meals in the nature of biryani, halwa, idli being rice cakes, being foodstuff made from rice; rawabeing wheat flour; poha being a snack food made of broken rice

Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
-------------	-----------------------------

Attachments	Notice of Cancellation.pdf(528773 bytes)
-------------	---

Signature	/s/ Michele S. Katz
Name	Michele S. Katz
Date	11/17/2021

in International Class 30 for: “vermicelli; packaged meals in the nature of biryani, halwa, idli being rice cakes, being foodstuff made from rice; rawa being wheat flour; poha being a snack food made of broken rice.” That trademark registration, based on an application filed on December 4, 2018, was issued on March 3, 2020, and bears a first-use date of May 1, 2017.

4. After investigation and upon information and belief, Respondent has abandoned its M.O.M. MEAL OF THE MOMENT Registration pursuant to the definition in 15 U.S.C. § 1127 because Respondent has discontinued use of Respondent’s Mark within the United States.

5. After investigation and upon information and belief, no evidence has been found to support that Respondent ever used its mark M.O.M. MEAL OF THE MOMENT in interstate commerce in the United States.

6. After investigation and upon information and belief, Petitioner submits that Respondent, if ever used, has no plans to resume use of the M.O.M. MEAL OF THE MOMENT mark in connection with the products identified in U.S. Registration No. 6,003,612.

7. Petitioner is being damaged by continued registration of the M.O.M. MEAL OF THE MOMENT mark because said registration is preventing Petitioner from registering its own mark, M.O.M. (U.S. Serial No. 88/509,153) in International Classes 29, 30, 35, 39 and 43.

WHEREFORE, for the foregoing reasons, Petitioner respectfully requests that Registration No. 6,003,612 be cancelled and judgment in the present cancellation action be entered in favor of Petitioner and against Registrant, with prejudice.

Dated: November 17, 2021

Respectfully submitted,

ADVITAMIP

By: Michele S. Katz

Michele S. Katz

ADVITAMIP, LLC

150 S. Wacker Drive, Suite 2400

Chicago, IL 60606

Tel: (312) 332-7710

Fax: (312) 332-7701

Email: mkatz@advitamip.com

Attorney for Petitioner