

ESTTA Tracking number: **ESTTA1178712**

Filing date: **12/15/2021**

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	All About It, LLC		
Entity	Limited Liability Company	Citizenship	Michigan
Address	2200 EDGESTONE STERLING HEIGHTS, MI 48314 UNITED STATES		
Attorney information	ARNOLD S. WEINTRAUB THE WEINTRAUB GROUP, P.L.C. 24901 NORTHWESTERN HWY. SUITE 311 SOUTHFIELD, MI 48075 UNITED STATES Primary Email: ipdocket@weintraubgroup.com Secondary Email(s): dphillips@weintraubgroup.com 248 809-2005		
Docket Number	AAL-110		

Registration Subject to Cancellation

Registration No.	4992393	Registration date	07/05/2016
Registrant	Alvin Jong Park 402 KINGSFORD ST MONTEREY PARK, CA 91754 UNITED STATES		

Goods/Services Subject to Cancellation

Class 025. First Use: 2015/07/29 First Use In Commerce: 2015/07/29 All goods and services in the class are subject to cancellation, namely: Wearable garments and clothing, namely, shirts

Grounds for Cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	20211215 Petition to Cancel w Exhibits For Filing.pdf(717199 bytes)
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Signature	/Arnold S. Weintraub/
Name	Arnold S. Weintraub

Date	12/15/2021
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

ALL ABOUT IT, LLC)
A Michigan Limited Liability Company,)
)
Petitioner,)
)
vs.)
)
ALVIN JONG PARK,)
An Individual,)
)
Registrant.)
_____)

Cancellation No.: _____

Application No.: 90/519,973

Application Date: February 9, 2021

THE WEINTRAUB GROUP, P.L.C.
Arnold S. Weintraub
Attorney for Petitioner
24901 Northwestern Hwy., Suite 201
Southfield, MI 48075
(248) 809-2005

NOTICE OF CANCELLATION

ALL ABOUT IT, LLC, a Michigan Limited Liability Company, having a principal place of business at 46699 Van Dyke Ave., Shelby Twp., Michigan 48317 is being damaged by Trademark Registration No. 4,992,993 for “LYTBRAND” and hereby petitions for cancellation of same.

As grounds for cancellation, Petitioner asserts as follows:

1. On February 9, 2021, Petitioner filed Federal Trademark Application Serial No. 90/519,973, seeking to register the mark “LIT-BRAND” for on-line retail store services featuring electronic cigarettes, oral vaporizers for smokers, novelty items, dietary supplements and nitrous oxide for industrial use; On-line wholesale store services featuring electronic cigarettes, oral

vaporizers for smokers, novelty items, dietary supplements and nitrous oxide for industrial use; Retail store services featuring electronic cigarettes, oral vaporizers for smokers, novelty items, dietary supplements and nitrous oxide for industrial use; Wholesale store services featuring electronic cigarettes, oral vaporizers for smokers, novelty items, dietary supplements and nitrous oxide for industrial use.

2. Petitioner is considering investing considerable marketing and promotional efforts, as well as considerable monetary expenses in promoting its identified products under the sought for “LIT-BRAND” mark, with the result that the purchasing public will come to know, rely upon, and recognize the identified products of Petitioner by this mark.

3. Registrant is identified on its Registration as Alvin Jong Park, an individual. In the Registration, Registrant has identified a physical address of 402 Kingsford St., Monterey Park, CA 91754. The correspondent is also identified as Alvin Jong Park and there is no Attorney of Record listed.

4. Registrant holds live Registration No. 4,992,393 for the mark “LYTBRAND” for wearable garments and clothing, namely shirts.

ABANDONMENT

5. Upon information and belief, Alvin Jong Park has abandoned the registered mark in connection with the goods identified therein for a period of at least the last two years with no intent to use the trademark in interstate commerce in connection with wearable garments and clothing, namely, shirts. 15 USC §1064(3).

6. While Registrant has his goods shown on Instagram, Facebook and Twitter, the website www.lytbrand.com is inactive and cannot be reached. There are virtually no options for

ordering the goods associated with Registrant's mark, thus, the goods are not being offered for sale in interstate commerce.

7. Prior to the filing of this Notice, attempts were made to contact Mr. Jong in regard to the '393 Registration, by U.S. Mail to inquire of the status of the mark, the ability to acquire goods covered by the mark and the Registrant, himself. However, no response has been received.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that Registration No. 4,992,393 be cancelled in connection with wearable garments and clothing, namely, shirts and that this Notice for Cancellation be sustained in favor of Petitioner.

Dated: December 15, 2021

Respectfully Submitted:

/Arnold S. Weintraub/
Arnold S. Weintraub
Attorney for Petitioner
THE WEINTRAUB GROUP, P.L.C.
24901 Northwestern Hwy., Suite 311
Southfield, MI 48075
(248) 809-2005

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2021, I served a true and complete copy of the Notice of Cancellation upon Alvin Jong Park, 402 Kingsford St., Monterey park, California 91754 by depositing same in the United States Mail, First Class Mail, with postage fully paid.

/Dede Phillips/
Dede Phillips
The Weintraub Group, P.L.C.

EXHIBIT A

Browser tabs: Top 5 SCARY Ghost Videos, lytbrand.com/7fbdid=IwAR1GWN...lytbrand.com, AppColl - Matters, AppColl - Matters, Lyt Brand | Facebook, Lyt Brand | Facebook, USPS Zipcode Look..., SCAO COURT FORMS, U.S. Copyright Office



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Check if there is a typo in www.lytbrand.com.

If spelling is correct, try running Windows Network Diagnostics.

DNS_PROBE_FINISHED_NXDOMAIN

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Taskbar: Type here to search, 20210909 Applicat..., 97018647 (2).pdf, 20211221 Notice..., 97018647 (1).pdf, 20211201 Notice..., 97018637 (1).pdf, Show all, 12:48 PM 12/15/2021

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12:47 PM 12/15/2021



lytbrand

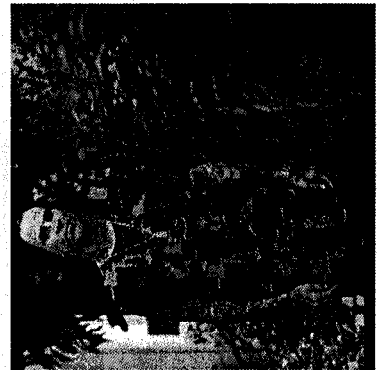
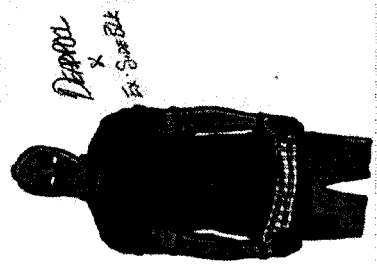
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LYT BRAND

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lytbrand.com

Ask Lyt Brand

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Lyt Brand
December 6, 2016 · 🌐

LYTBAND

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Lyt Brand @lytbrand · Dec 6, 2016

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People on Twitter are the first to know.

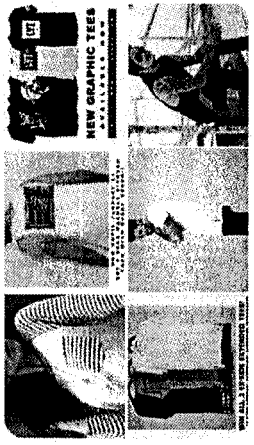


EXHIBIT B

T. WEINTRAUB GROUP, P.L.C.



INTELLECTUAL PROPERTY LAWYERS

24901 Northwestern Highway, Suite 311 • Southfield, Michigan 48075

T (248) 809-2005 • F (248) 996-8405

twg@weintraubgroup.com

October 15, 2021

Mr. Alvin John Park
402 Kingsford St.
Monterey Park, CA 91754

Re: Our Client: All About It, LLC
U.S. Trademark Application For "LIT-BRAND"
Serial No.: 90/519,973
Filing Date: February 9, 2021
Our File No.: AAL-108-T2

Dear Mr. Park:

Our offices represent All About It, LLC which has a pending application for the mark "Lit-Brand" in connection with electronic cigarettes, oral vaporizers for smokers, dietary supplements, etc.

Your trademark "Lytbrand" for wearable garments has been cited against our client's application, even though I believe they are highly distinct. We have tried to find your goods being offered sale with the associated trademark but have been unable to do so.

Rather than getting into what could be a protracted and expensive prosecution, we are seeking from you a Consent to Register which would attest to the fact that there is no likelihood of confusion between your mark and our client's mark, especially in view of the disparate goods and services.

I look forward to your response as expeditiously as possible.

Thank you,

THE WEINTRAUB GROUP, P.L.C.

A handwritten signature in black ink that reads "Arnold S. Weintraub". The signature is written in a cursive, flowing style.

Arnold S. Weintraub

aweintraub@weintraubgroup.com

ASW/dp

cc: All About It, LLC