

ESTTA Tracking number: **ESTTA1205460**

Filing date: **04/27/2022**

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	360Sweater Company, LLC		
Entity	limited liability company	Citizenship	California
Address	1526-C CLOVERFIELD BLVD. SANTA MONICA, CA 90404 UNITED STATES		

Attorney information	PHILIP NULUD BUCHALTER, A PROFESSIONAL CORPORATION 1000 WILSHIRE BLVD., SUITE 1500 LOS ANGELES, CA 90017 UNITED STATES Primary email: pnulud@buchalter.com Secondary email(s): ipdocket@buchalter.com, mmandel@buchalter.com 2138910700		
Docket no.	T3973-5001		

Registration subject to cancellation

Registration no.	5613771	Registration date	11/20/2018
Register	Principal		
Registrant	Shaharazade McConkey PO BOX 3666 OLYMPIC VALLEY, CA 96146 UNITED STATES		

Goods/services subject to cancellation

Class 025. First Use: Mar 18, 2017 First Use In Commerce: Mar 18, 2017 All goods and services in the class are subject to cancellation, namely: CLOTHING, NAMELY, T-SHIRTS, HATS

Grounds for cancellation

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

Attachments	Petition to Cancel Ski Naked.pdf(114568 bytes)
Signature	/philip nulud/
Name	Philip Nulud
Date	04/27/2022

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

360Sweater Company, LLC Petitioner, v. Shaharazade McConkey, Registrant.	Cancellation No. _____
------------------------------------------------------------------------------------------------------	------------------------

PETITION FOR CANCELLATION

Shaharazade McConkey, an individual, citizen of the United States, with an address of PO Box 3666, Olympic Valley, California 96146 (“Registrant”), is listed in the records of the U.S. Patent and Trademark Office (“USPTO”) as the registrant of U.S. Registration No. 5613771 for the mark SKI NAKED (the “Mark” or “Registration”), issued on November 20, 2018 for “CLOTHING, NAMELY, T-SHIRTS, HATS.” in Class 25.

360Sweater Company, LLC, a limited liability company organized under the laws of California, with an address of 1526-C Cloverfield Blvd., Santa Monica, California 90404 (“Petitioner”), believes it will be damaged by the continued registration of the Mark, and through its authorized attorneys, hereby petitions to cancel the Registration.

The grounds for cancellation are as follows:

1. Petitioner is a company in the business of creating clothing and apparel products that are marketed and sold in conjunction with its well known trademark NAKEDCASHMERE® and others.
2. Petitioner will be damaged by continued registration by Registrant of the Mark, in that the subject Registration has been cited against Petitioner’s own Application Serial No. 90878606 to register the mark SKI NAKED.
3. On information and belief, Registrant had not made bona fide use in commerce of the

Mark on the specified goods at the time the Registration was issued. Accordingly, the subject registration should be cancelled.

4. On information and belief, Registrant has not made bona fide use of Mark in commerce in connection with the goods that are the subject of Registration No. 5613771, for the Mark, since the registration was issued on November 20, 2018. Registrant's non-use of the Mark for more than three consecutive years is prima facie evidence of abandonment. Accordingly, Registrant has abandoned the Mark and, pursuant to 15 U.S.C. § 1064(c), Registration No. 5613771 should be cancelled.

WHEREFORE, for all of the foregoing reasons and for such other reasons as the Board determines are appropriate, Petitioner respectfully prays that this Petition be sustained and that Registrant's subject Registration be cancelled.

Dated: April 27, 2022

By: /s/ Philip Nulud
Philip Nulud
BUCHALTER
A Professional Corporation
1000 Wilshire Blvd., Suite 1500
Los Angeles, California 90017
(213) 891-0700

Attorneys for Petitioner
360Sweater Company, LLC

CERTIFICATE OF SERVICE

Petitioner 360Sweater Company, LLC, through its counsel of record, hereby certifies that a copy of this PETITION FOR CANCELLATION has been served upon Registrant on the 27th of April, 2022 by U.S. mail at the following address of record:

Michael E. Whitham
Whitham, Curtis & Cook, P.C.
11491 Sunset Hills Road
Suite 340
Reston, Virginia 20190

/s/ Philip Nulud
Philip Nulud