

ESTTA Tracking number: **ESTTA1233750**

Filing date: **09/06/2022**

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	Bob Woodruff Family Foundation dba Bob Woodruff Foundation		
Entity	Corporation	Citizenship	New York
Address	1350 BROADWAY STE. 905 NEW YORK, NY 10018 UNITED STATES		

Attorney information	KATHERINE KOYANAGI LAW OFFICES OF KATHERINE KOYANAGI 11301 W. OLYMPIC BLVD., NO. 324 KATHERINE KOYANAGI LOS ANGELES, CA 90064 UNITED STATES Primary email: kkoyanagilaw@gmail.com Secondary email(s): katherine@koyanagilaw.com 13106666880		
Docket no.			

Registration subject to cancellation

Registration no.	5289190	Registration date	09/19/2017
Register	Principal		
Registrant	Active Heroes, Inc. 2405 WOODBOURNE AVENUE LOUISVILLE, KY 40205 UNITED STATES		

Goods/services subject to cancellation

Class 036. First Use: Aug 13, 2016 First Use In Commerce: Aug 13, 2016 All goods and services in the class are subject to cancellation, namely: Charitable fundraising services provided via opportunities for the public to donate funds in conjunction with organized volunteer programs and community service projects aimed at increasing support and morale of families of deceased war veterans, war veterans, current members and future members of the U.S. military

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	Pldg 2022 09 01 GFH Cancellation.pdf(142938 bytes)
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Signature	/kkoyanagi/
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Name	Katherine Koyanagi
Date	09/06/2022

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

Bob Woodruff Family Foundation, a New
York corporation, dba Bob Woodruff
Foundation,

Petitioner,

vs.

ACTIVE HEROES, Inc., an Indiana
corporation,

Respondent.

) Cancellation No. _____

)
) Registration No. 5289190
) Date of Issue: September 19, 2017

PETITION FOR CANCELLATION

Petitioner Bob Woodruff Family Foundation, a New York corporation, dba Bob Woodruff Foundation, with an address of 1350 Broadway Ste. 905, New York, New York 10018 believes that it will be damaged by Registration No. 5289190.

Petitioner is the owner of Application No. 97284705 and will be prevented from registering its mark by the continued existence of Respondent’s registration on the Principal Register. Petitioner’s Application No. 97284705 for the mark GAMING FOR HEROES, covers the following in Class 36: “Charitable fundraising services by means of musical concerts; Charitable fundraising services by means of fundraising events around the love of gaming to create a community to support veterans and their families as they transition to civilian life and beyond; Charitable fundraising services by means of an entertainment event; Charitable fundraising services by means of organizing and conducting special events; Charitable fundraising to support military service members, veterans and their families as they transition to civilian life and beyond; Providing

fundraising information regarding charitable or humanitarian organizations.” Petitioner intends to file other applications for the mark GAMING FOR HEROES in connection with its charitable services.

Petitioner is informed and believes and thereon alleges that Respondent Active Heroes, Inc. is a corporation formed in Indiana with a business address of 2405 Woodbourne Avenue, Louisville, Kentucky 40205.

Respondent’s registration is for the words GAMING FOR HEROES in Class 36 for “Charitable fundraising services provided via opportunities for the public to donate funds in conjunction with organized volunteer programs and community service projects aimed at increasing support and morale of families of deceased war veterans, war veterans, current members and future members of the U.S. military.” The mark registered on September 19, 2017.

As grounds for this Petition, Petitioner alleges that:

1. Petitioner is informed and believes and thereon alleges that Respondent has abandoned said registered mark by discontinuing its use with no intent to resume its use. Petitioner will be impaired by the continued registration of said abandoned mark of Respondent, since its continued existence on the Principal Register will prevent Petitioner from registering its mark.
2. Petitioner has made numerous attempts to contact both counsel for Respondent and Respondent directly with very limited response, and therefore is further informed and believes that Respondent has abandoned said mark.

WHEREFORE, Petitioner prays that Registration No. 5289190 be cancelled and Petitioner respectfully requests that this Petition for Cancellation be sustained in favor of Petitioner.

Respectfully submitted,



Katherine Koyanagi

Attorney for Petitioner
Law Offices of Katherine Koyanagi
11301 W. Olympic Blvd., #324
Los Angeles, CA 90064
Tel. (310) 666-6880

Dated: September 6, 2022

CERTIFICATE OF SERVICE

The undersigned certifies that, a true copy of the Petition for Cancellation filed herein, has been served upon Respondent by transmitting a complete copy of foregoing via email addressed to Respondent's counsel of record at the following email address:

kduncan@dgeglaw.com
Kevin T. Duncan
Duncan Galloway Egan Greenwald, PLLC
9625 Ormsby Sstation Road
Louisville, KENTUCKY UNITED STATES 40223

on this the 6th day of September 2022.



Katherine Koyanagi