

ESTTA Tracking number: **ESTTA1244539**

Filing date: **10/28/2022**

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	STAR-TAGS Textilimport- und Merchandising GmbH		
Entity	GmbH	Citizenship	Germany
Address	INFANTERIESTRAÅ#E 19/6 MUNCHEN, 80979 GERMANY		

Attorney information	MARK L. SEIGEL THE SEIGEL LAW FIRM LLC 1397 CARROLL DRIVE NW ATLANTA, GA 30318 UNITED STATES Primary email: service@addipvalue.com Secondary email(s): fgs@fuhrmann-wallenfels.de No phone number provided		
Docket no.	S047.L001		

**Registration subject to cancellation**

Registration no.	6228480	Registration date	12/22/2020
Register	Principal		
Registrant	Genesco Inc. 535 MARRIOTT DRIVE NASHVILLE, TN 37214 UNITED STATES		

**Goods/services subject to cancellation**

Class 025. First Use: May 2019 First Use In Commerce: May 2019 All goods and services in the class are subject to cancellation, namely: Men's footwear
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**Grounds for cancellation**

Abandonment	Trademark Act Section 14(3)
Registrant not rightful owner of mark for identified goods or services	Trademark Act Sections 14(1) and 1

Attachments	FLOYD - Statement of Grounds for Cancellation.pdf(118282 bytes )
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Signature	/Mark L. Seigel/
Name	Mark L. Seigel

Date	10/28/2022
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**STATEMENT OF GROUNDS**

Petitioner STAR-TAGS Textilimport- und Merchandising GmbH (“Petitioner”) believes that it will be damaged by the continued registration of the mark shown in the above-identified registration, and hereby petitions to cancel the registrations. The grounds for cancellation are as follows:

1. Petitioner manufactures and sells luggage under the mark FLOYD.
2. On October 11, 2017, Petitioner filed an application to register FLOYD (stylized) for “Bags adapted for laptops; bags for cameras; sunglasses” in class 9 and “Small suitcases; trunks and suitcases; travel cases; luggage tags; leatherware, namely, traveling bags; overnight cases; leather bags; water-repellent leather bags; wallets; bags made of imitation leather; wheeled shopping bags; garment bags for travel; gentlemen's handbags; clutch bags” in class 18.
3. The application was assigned serial number 79225214.
4. On information and belief, Defendant owns U.S. Trademark Registration No. 6228480 for the mark FLOYD for “men’s footwear” (Defendant’s Mark).
5. On May 19, 2022, an examining attorney refused registration of Petitioner’s Mark on the grounds that it was likely to cause confusion with Defendant’s Mark.
6. On June 28, 2022, the examining attorney made the refusal final.
7. Petitioner has standing to file this petition for cancellation.

**COUNT I**

**ABANDONMENT**

8. On information and belief, Defendant is no longer using the FLOYD mark for men's footwear in commerce in the United States.

9. After a reasonable opportunity for further investigation and discovery, it is likely the evidence will show that Defendant has no intent to resume using FLOYD as a mark for men's footwear in commerce in the United States.

10. After a reasonable opportunity for further investigation and discovery, it is likely the evidence will show that Defendant's mark has been abandoned due to nonuse with intent not to resume use.

**COUNT II**

**NON-OWNERSHIP**

11. On information and belief, Defendant's Mark is a private label brand owned by Little Burgandy in Canada.

12. After a reasonable opportunity for further investigation and discovery, it is likely the evidence will show that Defendant is not the rightful owner of the registered mark.

WHEREFORE, Plaintiff requests that its petition to cancel trademark registration number 6228480 be GRANTED.