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Filing date: **02/20/2023**

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	Kule, LLC		
Entity	Limited Liability Company	Citizenship	New York
Address	130 EAST 67TH STREET #6F NEW YORK, NY 10065 UNITED STATES		

Correspondence information	BLAKE PERKINS COUNSEL 28 BROADWAY 17TH FLOOR NEW YORK, NY 10004 UNITED STATES Primary email: perkins@blake-perkins.com Secondary email(s): rsedhom@bespokelawfirm.com, mscott@bespokelawfirm.com No phone number provided
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Registration subject to cancellation

Registration no.	6637912	Registration date	02/08/2022
Register	Principal		
Registrant	Alfwear Inc. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84104 UNITED STATES		

Goods/services subject to cancellation

Class 004. First Use: Dec 9, 2016 First Use In Commerce: Dec 9, 2016 All goods and services in the class are subject to cancellation, namely: raw wax for water repellency

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
Other	Mark not used continuously to offer goods or services for sale in interstate commerce.

Registration subject to cancellation

Registration no.	6430939	Registration date	07/27/2021
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Register	Principal
Registrant	Alfwear Inc. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84104 UNITED STATES

Goods/services subject to cancellation

Class 030. First Use: Nov 27, 2019 First Use In Commerce: Nov 27, 2019
All goods and services in the class are subject to cancellation, namely: Chocolate; Chocolate bars

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
Other	Mark not used continuously to offer goods or ser- vices for sale in interstate commerce.

Registration subject to cancellation

Registration no.	6013221	Registration date	03/17/2020
Register	Principal		
Registrant	Alfwear Inc. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84104 UNITED STATES		

Goods/services subject to cancellation

Class 016. First Use: Aug 19, 2019 First Use In Commerce: Aug 19, 2019
All goods and services in the class are subject to cancellation, namely: Stickers

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
Other	Mark not used continuously to offer goods or ser- vices for sale in interstate commerce.

Registration subject to cancellation

Registration no.	5931048	Registration date	12/10/2019
Register	Principal		
Registrant	Alfwear Inc. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84104 UNITED STATES		

Goods/services subject to cancellation

Class 030. First Use: Apr 5, 2019 First Use In Commerce: Apr 5, 2019
All goods and services in the class are subject to cancellation, namely: Coffee

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
Other	Mark not used continuously to offer goods or services for sale in interstate commerce.

Registration subject to cancellation

Registration no.	5964423	Registration date	01/21/2020
Register	Principal		
Registrant	Alfwear Inc. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84104 UNITED STATES		

Goods/services subject to cancellation

Class 041. First Use: Jun 4, 2010 First Use In Commerce: Jun 4, 2010
All goods and services in the class are subject to cancellation, namely: Entertainment services in the nature of television and internet video production and related services, namely, distribution of video and television programs in the field of athletes competing in sports car races, bicycle races, running races, ski races, water races, obstacle races; Organizing cultural events; discotheque services; presentation of live-show performances; Presentation of musical performances; Entertainment, namely, live performances by musical bands

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
Other	Mark not used continuously to offer goods or services for sale in interstate commerce.

Registration subject to cancellation

Registration no.	4468589	Registration date	01/21/2014
Register	Principal		
Registrant	ALFWEAR INC. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84102 UNITED STATES		

Goods/services subject to cancellation

Class 025. First Use: Aug 1, 2010 First Use In Commerce: Aug 1, 2010
 All goods and services in the class are subject to cancellation, namely: Belts; Bottoms; Hats; Jackets; Pants; Shirts; Shorts; Tops; Fabric sold as an integral component of finished clothing, namely, Belts, Bottoms, Hats, Jackets, Pants, Shirts, Shorts and Tops

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Registration subject to cancellation

Registration no.	4580723	Registration date	08/05/2014
Register	Principal		
Registrant	ALFWEAR INC. 4884 SOUTH 300 WEST MURRAY, UT 84107 UNITED STATES		

Goods/services subject to cancellation

Class 024. First Use: May 27, 2014 First Use In Commerce: May 27, 2014
 All goods and services in the class are subject to cancellation, namely: Textile fabrics for the manufacture of clothing

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Registration subject to cancellation

Registration no.	4576447	Registration date	07/29/2014
Register	Principal		
Registrant	ALFWEAR INC. 4884 SOUTH 300 WEST MURRAY, UT 84107 UNITED STATES		

Goods/services subject to cancellation

Class 024. First Use: May 27, 2014 First Use In Commerce: May 27, 2014
 All goods and services in the class are subject to cancellation, namely: Textile fabrics for the manufacture of clothing

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp.,

	580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
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Registration subject to cancellation

Registration no.	4576372	Registration date	07/29/2014
Register	Principal		
Registrant	ALFWEAR INC. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84104 UNITED STATES		

Goods/services subject to cancellation

Class 024. First Use: May 27, 2014 First Use In Commerce: May 27, 2014 All goods and services in the class are subject to cancellation, namely: Textile fabrics for the manufacture of clothing
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Class 025. First Use: May 27, 2014 First Use In Commerce: May 27, 2014 All goods and services in the class are subject to cancellation, namely: Belts; Bottoms; Hats; Jackets; Pants; Shirts; Shorts; Tops

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Registration subject to cancellation

Registration no.	4576371	Registration date	07/29/2014
Register	Principal		
Registrant	ALFWEAR INC. 4884 SOUTH 300 WEST MURRAY, UT 84107 UNITED STATES		

Goods/services subject to cancellation

Class 024. First Use: May 27, 2014 First Use In Commerce: May 27, 2014 All goods and services in the class are subject to cancellation, namely: Textile fabrics for the manufacture of clothing
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Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Registration subject to cancellation

Registration no.	3011867	Registration date	11/01/2005
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Register	Principal
Registrant	ALFWEAR INC. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84104 UNITED STATES

Goods/services subject to cancellation

Class 033. First Use: Jul 29, 2004 First Use In Commerce: Jul 29, 2004
All goods and services in the class are subject to cancellation, namely: WINE

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Registration subject to cancellation

Registration no.	1990375	Registration date	07/30/1996
Register	Principal		
Registrant	Alfwear Inc. 1635 SOUTH 5070 WEST SUITE C SALT LAKE CITY, UT 84104 UNITED STATES		

Goods/services subject to cancellation

Class 032. First Use: Aug 17, 1994 First Use In Commerce: Aug 17, 1994
All goods and services in the class are subject to cancellation, namely: bottled spring water

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)

Attachments	20230220_Kule_TTAB-Cancel_Petition.pdf(93558 bytes)
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Signature	/Blake Perkins/
Name	Blake Perkins
Date	02/20/2023

**In the United States Patent and Trademark Office
Before the Trademark Trial and Appeal Board**

Kule, LLC,

Petitioner,

v.

Alfwear, Inc.,

Respondent.

Cancellation No. _____

Petition for Cancellation

Kule, LLC, files this petition for trademark cancellation against Alfwear, Inc., pursuant to 15 U.S.C. section 1064(3).

Alfwear engages in the systemic abuse of trademark protocol because it registers multiple trademarks that it does not use and has not used continuously to offer goods or services for sale in interstate commerce. Alfwear obtained those registrations by fraud and has abandoned them.

Retention by Alfwear of the fraudulent and abandoned registrations prevents Kule and other legitimate businesses from productive use of the marks.

The registrations covered by this petition include:

- Number 6637912.
- Number 6430939.
- Number 6013221.
- Number 5931048.
- Number 5964423: multiple class registration; this petition applies to class 41.
- Number 4468589.
- Number 4580723: multiple class registration; this petition applies to class 24.

- Number 4576447: multiple class registration; this petition applies to class 24.
- Number 4576372.
- Number 4576371.
- Number 3011867.
- Number 1990375: multiple class registration; this petition applies to class 32.

Dated: 20 February 2023

Respectfully submitted,

/s/Blake Perkins

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