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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	Republic Technologies (NA) LLC		
Entity	limited liability company	Citizenship	Delaware
Address	2301 RAVINE WAY GLENVIEW, IL 60025 UNITED STATES		

Attorney information	ANTONY J. MCSHANE NEAL, GERBER & EISENBERG LLP 2 NORTH LASALLE STREET, SUITE 1700 CHICAGO, IL 60602 UNITED STATES Primary email: ecfdocket@nge.com Secondary email(s): amcshane@nge.com , kmichels@nge.com , temanuelson@nge.com , acrawford@nge.com , ecfdocket@nge.com 312-269-8000		
Docket no.	019126.7154		

Registration subject to cancellation

Registration no.	2895962	Registration date	10/19/2004
Register	Principal		
Registrant	ANDERSON, GORDON N. 130 WINNETT AVENUE TORONTO, ONTARIO, M6C 3L6 CANADA		

Goods/services subject to cancellation

Class 025. First Use: Feb 7, 2004 First Use In Commerce: Feb 7, 2004 All goods and services in the class are subject to cancellation, namely: sports shoes; hats; clothing, namely, T-shirts, sweat shirts, [jumpsuits,] pants, jackets, sports jackets, undergarments, namely, shorts and shirts, socks, bath robes, scarves, and neck ties

Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	Petition to Cancel - Adams Apple and design.pdf(81939 bytes)
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Signature	/Antony J. McShane/
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Name	Antony J. McShane
Date	03/08/2023

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

In the matter of Registration No. 2,895,962)	
for the mark ADAMS APPLE (& DESIGN))	
)	
REPUBLIC TECHNOLOGIES (NA) LLC,)	
)	
Petitioner,)	Cancellation No. _____
)	
v.)	
)	
GORDON N. ANDERSON,)	
)	
Registrant.)	
)	

PETITION FOR CANCELLATION

This Petition for Cancellation is submitted in the matter of Registration No. 2,895,962 registered to Registrant, Gordon N. Anderson, an individual with an address of record at 130 Winnett Avenue, Toronto, Ontario, M6C 3L6 Canada. Registration No. 2,895,962 issued on October 19, 2004, for the mark ADAMS APPLE & Design in connection with “sports shoes; hats, clothing, namely, T-shirts, sweat shirts, pants, jackets, sports jackets, undergarments, namely, shorts and shirts, socks, bath robes, scarves, and neck ties” in International Class 25. Republic Technologies (NA) LLC, a Delaware limited liability company with address of record of 2301 Ravine Way, Glenview, Illinois, 60025 (“Republic”) believes it will be injured by the continued registration of Registration No. 2,895,962 and, therefore, Republic petitions to cancel the same on the following grounds:

1. On May 4, 2022, Republic filed U.S. Trademark Application No. 97/394,902 for the mark ADAMS APPLE in connection with the following goods and services:

International Class 14: key chains

International Class 16: posters

International Class 18: bags; pouches; tote bags

International Class 20: insulating sleeve holders for beverage and bottles; insulated mugs; water bottles; coolers; glassware

International Class 25: apparel, namely, shirts, t-shirts, tank tops, pants, sweatshirts, jackets, hats, caps; and

International Class 34: tobacco; cigarette papers; cigarette filters; cigarette tubes; cigarette rolling machines; hand-held machines for injecting tobacco into cigarette tubes; machines allowing smokers to make cigarettes by themselves; lighters; ash trays; smokers' rolling trays.

2. On October 11, 2022, the U.S. Patent and Trademark Office's examining attorney reviewing Republic's Application No. 97/394,902 issued a refusal of the application in International Class 25, citing a likelihood of confusion with Registration No. 2,895,962 issued on October 19, 2004, for the mark ADAMS APPLE & Design in connection with "sports shoes, hats, clothing, namely, T-shirts, sweat shirts, jumpsuits, pants, jackets, sports jackets, undergarments, namely, shorts and shirts, socks, bath robes, scarves, and neck ties" in International Class 25.

3. As a result of these circumstances, Republic is being and is likely to continue to be damaged by Registrant's continued registration of the ADAMS APPLE & Design mark.

4. On information and belief, the Registrant of the mark ADAMS APPLE & Design mark has ceased use of the mark in United States commerce in connection with the goods covered in Registration No. 2,895,962 for more than three years, and has no intention of resuming use of the mark with such goods in the United States commerce. Accordingly, Registrant has abandoned the ADAMS APPLE & Design mark within the meaning of Section 45 of the Trademark Act, 15 U.S.C. § 1127, and Registration No. 2,895,962 should therefore be cancelled in accordance with Section 14 of the Trademark Act, 15 U.S.C. § 1064.

WHEREFORE, Republic requests that this Petition for Cancellation be granted and that Registration No. 2,895,962 be cancelled.

Dated: March 8, 2023

Respectfully submitted,

By: /s/
Antony J. McShane
Kara C. Michels
NEAL, GERBER & EISENBERG LLP
2 North LaSalle, Suite 1700
Chicago, Illinois 60602
Phone: (312) 269-8000
Email: amcshane@nge.com
kmichels@nge.com

*Counsel for Petitioner
Republic Technologies (NA) LLC*

CERTIFICATE OF TRANSMITTAL

I hereby certify that the foregoing **PETITION FOR CANCELLATION** is being electronically transmitted via the Electronic System for Trademark Trials and Appeals (“ESTTA”) at <http://esta.uspto.gov/> on the date noted below.

Date: March 8, 2023

By: /s/ Kara C. Michels
One of the Attorneys for Petitioner
Republic Technologies (NA) LLC