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Filing date: **10/25/2024**

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	Summer Fridays, LLC		
Entity	Limited Liability Company	Incorporated or registered in	California
Address	10345 W. OLYMPIC BLVD. SUITE 102 LOS ANGELES, CA 90064 UNITED STATES		
Attorney information	HAZEL MAE B. PANGAN GORDON REES SCULLY MANSUKHANI LLP 101 WEST BROADWAY, SUITE 2000 SAN DIEGO, CA 92101 UNITED STATES Primary email: ipdocket@grsm.com Secondary email(s): hpangan@grsm.com, sflaherty@grsm.com, klaw@grsm.com 6196966700		
Docket no.	IRHE		

#### Registration subject to cancellation

Registration no.	5691791	Registration date	03/05/2019
Register	Principal		
Registrant	Shenzhen yunzhimikejiyouxiangongsi HONGFAJIAYUHUAYUAN 1 DONG B 1703 MATIANJIEDAO SHUTIANPUSHEQU SHENZHEN, 518000 CHINA		

#### Goods/services subject to cancellation

Class 018. First Use: Jun 1, 2017 First Use In Commerce: Jun 1, 2017  
All goods and services in the class are subject to cancellation, namely: Reusable textile produce bags to carry produce from grocery stores and farmer's markets

#### Grounds for cancellation

Abandonment	Trademark Act Section 14(3)
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Attachments	PETITION TO CANCEL CLOUDBAG.pdf(76099 bytes )
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Signature	/Hazel Mae B. Pangan/
Name	Hazel Mae B. Pangan
Date	10/25/2024

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

Summer Fridays, LLC,	)	In the Matter of Trademark Application
	)	Reg. No. 5,691,791
Petitioner,	)	Filed: August 29, 2018
	)	Registered: March 5, 2019
v.	)	
	)	For the Trademark: CLOUDBAG
	)	
Shenzhen yunzhimikejiyouxiangongsi, an	)	
Limited Liability Company	)	Cancellation No.: _____
	)	
Applicant.	)	

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**PETITION FOR CANCELLATION**

Summer Fridays, LLC (“Petitioner”), a limited liability company organized under the laws of California and having a business address at 10345 W. Olympic Blvd., Suite 102, Los Angeles, CA 90064, believing that it will be damaged by the continued registration of the above-identified trademark, hereby opposes the registration thereof and alleges as follows:

1. Registrant Shenzhen yunzhimikejiyouxiangongsi is a Limited Liability Company with a record address of Hongfajiyahuayuan 1 dong B 1703, Matianjiedao Shutianpushequ, Shenzhen CHINA 518000 (“Registrant”).

2. Standing is satisfied because Petitioner believes that it will be damaged by the continued registration of Registration No. 5,691,791 (the “Registered Mark”). The Petitioner has a real interest in the proceeding because Petitioner is the owner of an application for CLOUD POUCH having serial number 98/179,866 which has been refused in light of the Registered Mark.

3. Petitioner is and for many years has been in the business of formulating, developing, advertising, and selling skincare, face care, and beauty products. Petitioner has filed an application for CLOUD POUCH in international class 18 with the following recitation of goods:

“Cosmetic bags sold empty; toiletry bags sold empty; make-up bags sold empty; pouches for holding cosmetics, make-up, toiletries and other personal items” (the “CLOUD POUCH Mark”)  
An example of Petitioner’s goods bearing the CLOUD POUCH Mark is seen below and available at the following URL: <https://br.revolve.com/summer-fridays-mini-cloud-pouch-in-iced-coffee/dp/SUMR-WU63/?d=Womens>



#### **FIRST GROUND FOR CANCELLATION – ABANDONMENT**

4. Petitioner re-alleges the allegations contained in Paragraphs 1 through 3 of this Petition for Cancellation as fully set forth herein. Petitioner states, on information and belief, that Registrant has abandoned all use of, and rights in, the Registered Mark.

5. Petitioner’s investigation has not yielded evidence that Registrant has made bona fide use of the Registered Mark in U.S. commerce for a period of three years or more.

6. Particularly, the Registrant filed a specimen and declared that the Registered Mark was used in commerce in conjunction with its original application and further at least as early as

06/01/2017. In submitting a specimen, the Registrant submitted image files purporting to show the phrase "CloudBag" on mesh shopping bags. The images are suspect in that they do not show any significant amounts of branded product and they do not show the products near or in association with any point of purchase. Accordingly, it may be that these original specimen submissions were not legitimate, reflected only token use, or were mere mockups. In any event, an internet search does not reflect any ability to purchase goods branded with the Registered Mark or any commercial use of the Registered Mark whatsoever.

7. On information and belief, Registrant either never had any legitimate use in US commerce of the Registered Mark, or alternatively has discontinued use of the Registered Mark in connection with all of the goods identified in the Registered Mark for a period exceeding three years. Upon further information and belief, the inability to find any commercial use of Registrant Mark, evidences an intention not to resume use of the mark in connection with the registered goods in U.S. commerce. Accordingly, Registrant has abandoned the Registered Mark in connection with these goods, and Registration No. 5,691,791 is subject to cancellation pursuant to 15 U.S.C. § 1064.

WHEREFORE, Petitioner respectfully requests that its Petition for Cancellation be sustained and that the Registered Mark is cancelled.

This Petition for Cancellation is being submitted electronically. The required fee is authorized to be charged against the Deposit Account No. 501990 of the Attorney for Petitioner.

DATE: October 25, 2024

Respectfully submitted,

GORDON REES SCULLY MANSUKHANI LLP

*/s/ Hazel Mae B. Pangan*

Hazel Mae B. Pangan

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