

PTO-2188: Petition for Cancellation

uspto

Electronic System for Trademark Trials and Appeal

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If you are using Internet Explorer, please ensure that the Compatibility View (Tools>Compatibility View settings) is disabled or not enabled.

[Browse ESTTA forms and learn when and how to use them](#)

File Size Limits: The maximum size for each attached file is 6 MB. A single ESTTA filing may comprise more than one attached file, totaling no more than 53 MB.

Please choose one of the following options to start filing a form for

- [Request for Extension of Time to File an Opposition](#)

File a request for extension of time to file a notice of opposition, relinquish an extension, or other actions related to extensions of time to oppose.

Enter the application serial number to which the filing applies:

Fees are required for certain requests for extension that can be filed using this form.

- [File a New Proceeding](#)

Use these options to file a new opposition, cancellation or appeal from a final refusal to register. Choose your filing and enter the serial number of the application to be opposed, the registration number of the registration to be cancelled, or the serial number of the application to be appealed.

Type of filing:

There is a filing fee associated with these forms.

- [File Documents in a Board Proceeding](#)

Use these options to file documents (motions, briefs, etc.) in an already existing opposition, cancellation, concurrent use, or appeal proceeding. Choose a filing option and enter the opposition number (91xxxxxx), cancellation number (92xxxxxx), concurrent use number (94xxxxxx), or application serial number to which your filing applies.

Type of filing:

Most filings do not require a fee.

Start screen

Electronic System for Trademark Trials and Appeals

Registration

Please verify that the information appearing below correctly identifies the registration to which this action applies.

Registrant	
Registration Number	
Registration Date	
Mark	
International Classes	

Check here if you are aware of a name, address or email address that differs from what is shown

This is the correct registration

Cancel

Save Session

Verify registration screen

Electronic System for Trademark Trials and Appeals

Additional Registrant Information Provided by Petitioner

Enter the additional name, address and email address for the owner of the registration.

Name	<input type="text"/>
Title	<input type="text"/>
Business	<input type="text"/>
Street address	<input type="text"/>
(continued)	<input type="text"/>
City	<input type="text"/>
State	<input type="text" value=""/>
Zip/Postal Code	<input type="text"/>
Country	UNITED STATES <input type="button" value="Switch to non US address"/>
Email Address	<input type="text"/> <small>Note: The TTAB will respond to this request via email. Later communications may be in paper form. Multiple email addresses may be provided separated by comma and space</small>
Telephone Number	<input type="text"/>

Check here to enter additional owner name, address, or email on a new screen

Screen to provide additional information (must check box on previous screen)

Electronic System for Trademark Trials and Appeals

Grounds for Cancellation

Please check as many grounds for cancellation as are applicable. If a particular ground is not listed, check the "Other" box and fill in the ground in the text box provided.

The grounds for cancellation are as follows:

<input type="checkbox"/>	Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
<input type="checkbox"/>	The mark is merely descriptive	Trademark Act Sections 14(1) and 2(e)(1)
<input type="checkbox"/>	The mark is or has become generic	Trademark Act Section 14(3), or Section 23 if on Supplemental Register
<input type="checkbox"/>	The mark is deceptively misdescriptive	Trademark Act Sections 14(1) and 2(e)(1)
<input type="checkbox"/>	The mark is primarily geographically descriptive	Trademark Act Sections 14(1) and 2(e)(2)
<input type="checkbox"/>	The mark is primarily geographically deceptively misdescriptive	Trademark Act Sections 14(1) and 2(e)(3)
<input type="checkbox"/>	The mark is primarily merely a surname	Trademark Act Sections 14(1) and 2(e)(4)
<input type="checkbox"/>	The mark comprises matter that, as a whole, is functional	Trademark Act Sections 14(1) and 2(e)(5), or Section 23 if on Supplemental Register
<input type="checkbox"/>	No use of mark in commerce before application, amendment to allege use, or statement of use was filed	Trademark Act Sections 14(1) and 1(a), (c), and (d)
<input type="checkbox"/>	Abandonment	Trademark Act Section 14(3)
<input type="checkbox"/>	Failure to function as a mark	Trademark Act Sections 14(1) and 1, 2 and 45
<input type="checkbox"/>	The mark is not inherently distinctive and has not acquired distinctiveness	Trademark Act Sections 14(1) and 1, 2 and 45; and Section 2(f)
<input type="checkbox"/>	Dilution by blurring	Trademark Act Sections 14(1) and 43(c)
<input type="checkbox"/>	Dilution by tarnishment	Trademark Act Sections 14(1) and 43(c)
<input type="checkbox"/>	Registrant not rightful owner of mark for identified goods or services	Trademark Act Sections 14(1) and 1
<input type="checkbox"/>	False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	Deceptiveness	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	Immoral or scandalous matter	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	Disparaging	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	Geographic indication which, if used on or in connection with wine or spirits, identifies a place other than the origin of the goods	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	The registration is being used by, or with the permission of, the registrant so as to misrepresent the source of the goods or services on or in connection with which the mark is used	Trademark Act Section 14(3)
<input type="checkbox"/>	Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof	Trademark Act Sections 14(3) and 2(b)
<input type="checkbox"/>	Consists of or comprises a name, portrait, or signature of a living individual without written consent, or the name, portrait, or signature of a deceased president without the written consent of the surviving spouse	Trademark Act Sections 14(1) and 2(c)
<input type="checkbox"/>	Continued registration barred by claim or issue preclusion	Mayer/Berkshire Corp. v. Berkshire Fashions Inc., 424 F.3d 1229, 76 USPQ2d 1310 (Fed. Cir. 2005)
<input type="checkbox"/>	Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
<input type="checkbox"/>	Violates the provisions of Trademark Act § 4	Trademark Act Section 4 (collective and certification marks) and Sections 14(3) and (5)
<input type="checkbox"/>	Misuse of registration symbol	Copelands' Enterprises Inc. v. CNV Inc., 945 F.2d 1563, 20 USPQ2d 1295 (Fed. Cir. 1991)
<input type="checkbox"/>	Title of single creative work	Trademark Act Sections 1, 2 and 45, Mattel Inc. v. Brainy Baby Co., 101 USPQ2d 1140 (TTAB 2011)
<input type="checkbox"/>	Other (please concisely indicate grounds and statutory or common-law basis for cancellation)	

Grounds screen - within 5 years from the date of registration

Electronic System for Trademark Trials and Appeals

Grounds for Cancellation

Please check as many grounds for cancellation as are applicable.

The grounds for cancellation are as follows:

<input type="checkbox"/>	Abandonment	Trademark Act Section 14(3)
<input type="checkbox"/>	The mark is or has become generic	Trademark Act Section 14(3), or Section 23 if on Supplemental Register
<input type="checkbox"/>	False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols, or bring them into contempt, or disrepute	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	Deceptiveness	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	Immoral or scandalous matter	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	Disparaging	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	Geographic indication which, if used on or in connection with wine or spirits, identifies a place other than the origin of the goods	Trademark Act Sections 14(3) and 2(a)
<input type="checkbox"/>	The mark comprises matter that, as a whole, is functional	Trademark Act Sections 14(3) and 2(e)(5), or Section 23 if on Supplemental Register
<input type="checkbox"/>	The registration is being used by, or with the permission of, the registrant so as to misrepresent the source of the goods or services on or in connection with which the mark is used	Trademark Act Section 14(3)
<input type="checkbox"/>	Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof	Trademark Act Sections 14(3) and 2(b)
<input type="checkbox"/>	Consists of or comprises a name, portrait, or signature of a living individual without written consent, or the name, portrait, or signature of a deceased president without the written consent of the surviving spouse	Trademark Act Sections 14(3) and 2(c)
<input type="checkbox"/>	Fraud on the USPTO	Trademark Act Section 14(3); In re Bose Corp., 580 F.3d 1240, 91 USPQ2d 1938 (Fed. Cir. 2009)
<input type="checkbox"/>	Violates the provisions of Trademark Act § 4	Trademark Act Section 4 (collective and certification marks) and Sections 14(3) and (5)

Electronic System for Trademark Trials and Appeals

Goods and Services

Registration No. has class of goods or services. Please indicate below which goods/services are subject to the petition for cancellation.

<input type="radio"/> All of the goods in this class	IC <input type="text"/>
<input type="radio"/> Some of the goods in this class (delete goods or services that do not apply)	Goods and Services: <input type="text"/>
<input type="radio"/> None of the goods in this class	First use: <input type="text"/> First use in commerce: <input type="text"/>

02/25/2020 07:57 AM EST

Goods and services screen

Petitioner Information

Enter petitioner information

Check here if opposer/petitioner is represented by an attorney
Only attorneys qualified under Patent and Trademark Rule 11.14 may represent others before the Trademark Trial and Appeal Board.

<input type="radio"/> Company	Name *	<input type="text"/>				
	Type *	<input type="radio"/> Corporation <input type="radio"/> Partnership <input type="radio"/> Other	Name and citizenship of the general partners (List the first 10 only) * <input type="text"/>	Entity type * <input type="text"/>		
	Incorporated or registered in *	state:	<input type="text"/>	or country: <input type="text"/>		
<input type="radio"/> Individual	Prefix	First Name *	Middle Initial	Last Name *	Suffix	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
Country of Citizenship * <input type="text"/>						
Other: <input type="text"/> <small>If the country is not on the list, please, specify the country name</small>						
Address <small>Current domicile required for all parties. Indicate address of permanent legal residence (for individuals) or principal place of business (for entities).</small>	Street Address *	<input type="text"/>				
	Internal address/ Street 2	<input type="text"/>				
	City *	<input type="text"/>				
	State/Territory *	<input type="text"/>				
	<input type="button" value="Switch to non US address"/>					
	Country *	UNITED STATES ▾				
Postal Code *	<input type="text"/>					

Petitioner information screen

Electronic System for Trademark Trials and Appeals

Add/Modify Information

Please choose one of the following actions:

- Add another registration number to the request

Enter the registration number of the mark:

- Add another petitioner to the request

Click this button to enter information about additional petitioner:

- Change information in the request

Petitioned registration

Registration Information	Registration #: <input type="text"/> Mark: <input type="text"/> Registrant: <input type="text"/> Email: <input type="text"/>	<input type="button" value="Remove"/>
Goods/Services Subject to Cancellation:	<input type="text"/>	<input type="button" value="Edit"/>
Grounds for Cancellation	<input type="text"/>	<input type="button" value="Edit"/>

Petitioner

<input type="text"/>	<input type="button" value="Edit"/>
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- Continue
If you do not need to change the above information, click "Next" below to proceed with correspondence information

Related Proceedings

If the parties are involved in proceedings involving the same or similar marks, identify those proceedings below

Related Proceedings	
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Related proceedings screen

Petitioner's Correspondence Information

Enter the address at which you would like to receive [correspondence regarding this proceeding](#).

Name *	<input type="text"/>
Title	<input type="text"/>
Business	<input type="text"/>
Street address *	<input type="text"/>
Internal address/ Street 2	<input type="text"/>
City *	<input type="text"/>
State/Territory *	<input type="text" value=""/> ▾
Postal Code *	<input type="text"/>
Country *	<input type="text" value=""/> ▾ <input type="button" value="Switch to non US address"/>
Email Address	Primary Email Address * <small>(You may enter only one address.)</small> <input type="text"/>
	Secondary Email Address(es) <small>(You may enter up to 10 addresses. These are addresses to which the Board will also transmit correspondence.)</small> <input type="text"/>
Telephone Number	<input type="text"/>

Correspondence screen

Attorney Correspondence Information

Enter the address at which you would like to receive [correspondence regarding this proceeding](#).

Name *	<input type="text"/>
Firm	<input type="text"/>
Docket Number	<input type="text"/>
Bar Membership *	<p>Year of Admission <input type="text" value="v"/></p> <p>U.S. State/Commonwealth/Territory <input type="text" value="v"/></p> <p>Membership Number <input type="text"/></p> <p><small>You must enter either "N/A" or a membership number if your U.S. state, commonwealth, or territory issues one. This number will not be publically displayed.</small></p> <p><input type="checkbox"/> This attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. commonwealth or territory.</p>
Street address *	<input type="text"/>
Internal address/ Street 2	<input type="text"/>
City *	<input type="text"/>
State/Territory *	<input type="text" value="v"/>
Postal Code *	<input type="text"/>
Country *	<input type="text" value="UNITED STATES v"/> <input type="button" value="Switch to non US address"/>
Email Address	<p>Primary Email Address * <small>(You may enter only one address.)</small></p> <input type="text"/> <p>Secondary Email Address(es) <small>(You may enter up to 10 addresses. These are addresses to which the Board will also transmit correspondence.)</small></p> <input type="text"/>
Telephone Number	<input type="text"/>

*Attorney correspondence screen
(Note: Bar membership information only visible to filer-not available on TTABVUE)*

Electronic System for Trademark Trials and Appeals

Petition for Cancellation

Navigation: [Add/Modify](#) - [Related](#) - [Correspondence](#) - [Pleading](#)

ESTTA v. _____

PTO-2188 (Exp. _____)

OMB No. 0651-0040 (Exp. _____)

Pleading

You must attach a [short and plain statement of the grounds](#) setting forth, in numbered paragraphs, averments that include the reason(s) why the petitioner believes it is or will be damaged by the registration sought to be cancelled (i.e., petitioner's standing), as well as the ground(s) for cancellation. [See TBMP § 309.03(a)(2)].

To attach your file(s):

1. [Pre-filing checklist](#).
2. Please make sure that the file name does not contain any special characters such as (!@#%\$%^&*(){}|).
3. The maximum size for each attached file is 6 MB. A single ESTTA filing may comprise more than one attached file, totaling no more than 53 MB. [Tips for attaching a large file](#).
4. Choose the "Browse" button below and select a file in an [accepted format](#) (TIFF, PDF, or TXT) from your computer. (To attach a document saved in TIFF format, the document must first be saved using this extension: .tiff)
5. The name of the file you want to attach should appear in the text box below. Click the "Attach File" button.
6. When you have attached all desired files, click "Next Screen" at the bottom of the page to proceed.

<input type="text"/>	<input type="button" value="Browse"/>	<input type="button" value="Attach File"/>
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<input type="button" value="Back"/>	<input type="button" value="Cancel"/>	<input type="button" value="Save Session"/>
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Attachment screen

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

Sign the request by completing the following fields

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	<input type="text"/>		
Entity	<input type="text"/>	Citizenship	<input type="text"/>
Address	<input type="text"/>		
Correspondence information	<input type="text"/>		
Registration Subject to Cancellation			
Registration No.	<input type="text"/>	Registration date	<input type="text"/>
Registrant	<input type="text"/>		
Goods/Services Subject to Cancellation			
<input type="text"/>			
Grounds for Cancellation			
<input type="text"/>			
<input type="text"/>			
Attachments	<input type="text"/>		

Signature: -	<input type="text"/>
Name: -	<input type="text"/>
Date:	<input type="text"/>

Signature screen

Validate

Review the information below and click on the "to proceed with payment" button if the information is correct. If you need to edit any information, go back to proper screen using navigation facilities on this web page and make your correction(s).
DO NOT USE THE BACK BUTTON ON YOUR BROWSER.

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			
Entity		Citizenship	
Address			
Correspondence information			

Registration Subject to Cancellation

Registration No.		Registration date	
Registrant			

Goods/Services Subject to Cancellation

Grounds for Cancellation

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Attachments

Signature

Signature	
Name	
Date	

Fee calculated according to USPTO fee table	
Fee code	7401
Amount	400.00
Description	Petition for Cancellation, per class, Electronically Filed
Property #	# of Classes
Total	400.00

Validate and go to payment system to complete filing

Signature

The submission must be signed by the filer. The Board will accept any combination of letters, numbers, spaces or punctuation marks as a valid signature if it is placed between two forward slash (/) symbols.

Sign the request by completing the following fields

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			
Entity		Citizenship	
Address			
Attorney information			
Docket Number			
Bar Information (bar information will not appear in the record, or e-mail confirmation, and will not be publically displayed)	Year of Admission: <input type="text"/>		
	U.S. State/Commonwealth/Territory: <input type="text"/>		
	Membership Number: <input type="text"/>		
	This attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.		
Registration Subject to Cancellation			
Registration No.		Registration date	
Registrant			
Goods/Services Subject to Cancellation			
Grounds for Cancellation			
Attachments			

Signature: *	<input type="text"/>
Name: *	<input type="text"/>
Date:	06/16/2020

*Attorney signature screen
(Note: Bar information only visible to filer-not available on TTABVUE)*

Validate

Review the information below and click on the "to proceed with payment" button if the information is correct. If you need to edit any information, go back to proper screen using navigation facilities on this web page and make your correction(s).
DO NOT USE THE BACK BUTTON ON YOUR BROWSER.

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	[REDACTED]		
Entity	[REDACTED]	Citizenship	[REDACTED]
Address	[REDACTED]		

Attorney information	[REDACTED]
Docket Number	[REDACTED]
Bar Information (bar information will not appear in the record, or e-mail confirmation, and will not be publically displayed)	Year of Admission: [REDACTED] U.S. State/Commonwealth/Territory: [REDACTED] Membership Number: [REDACTED] This attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

Registration Subject to Cancellation

Registration No.	[REDACTED]	Registration date	[REDACTED]
Registrant	[REDACTED]		

Goods/Services Subject to Cancellation

[REDACTED]

Grounds for Cancellation

[REDACTED]	[REDACTED]
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Attachments	[REDACTED]
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Signature	[REDACTED]
Name	[REDACTED]
Date	[REDACTED]

Fee calculated according to USPTO fee table	
Fee code	7401
Amount	400.00
Description	Petition for Cancellation, per class, Electronically Filed
Property #	1
# of Classes	1
Total	400.00

[Go to Payment screen](#) [Back](#) [Cancel](#) [Save Session](#)

*Attorney validation screen to transfer to payment system and complete filing
(Note: Bar information only visible to filer-not available on TTABVUE)*

Paperwork Reduction Act Statement

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. This Petition to Cancellation is estimated to take 30 minutes to complete and submit to USPTO. Any comments on the amount of time you require to complete this activity and/or suggestions for reducing this burden, should be sent to the Chief Administrative Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to an application for a trademark/servicemark. The authority for the collection of this information is 35 U.S.C. 2(b)(2); (2). The information in this system of records is used to disseminate information about Trademarks submission or other Trademark related actions before the United States Patent Office. However, routine uses of this information may include disclosure to the following: to law enforcement and investigation in the event that the system of records indicates a violation or potential violation of law; to a Federal, state, local, or international agency, in response to its request; to an agency, organization, or individual for the purpose of performing audit or oversight operations as authorized by law; to non-federal personnel under contract to the agency; to a court for adjudication and litigation; to the Department of Justice for Freedom of Information Act (FOIA) assistance; to members of Congress working on behalf of an individual; to the Office of Personnel Management for personnel research purposes; to National Archives and Records Administration for inspection of records; and to the Office of Management and Budget for legislative coordination and clearance. Disclosure of the information by you is voluntary; however, if you do not furnish the requested information, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application for a trademark. The applicable Privacy Act System of Records Notice for this information request is COMMERCE/USPTO-26, Trademarks Application and Registration Records: Federal Register vol. 85 February 18, 2020, p 8847, available at <https://www.govinfo.gov/content/pkg/FR-2020-02-18/pdf/2020-03068.pdf>.