

ESTTA Tracking number: **ESTTA451622**

Filing date: **01/17/2012**

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 requests to cancel indicated registration.

Petitioner Information

Name	Laurie Williams		
Entity	Individual	Citizenship	UNITED STATES
Address	14304 Gate Dancer Lane Boys, MD 20841 UNITED STATES		

Attorney information	Travis Tunnell Anderson Dailey LLP 2002 Summit Blvd NE Suite 1250 Atlanta, GA 30319 UNITED STATES tunnell@andersondailey.com, tunnell@gmail.com Phone:404-442-1810		
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Registration Subject to Cancellation

Registration No	3933108	Registration date	03/15/2011
Registrant	Columbus Bar Association Suite 1100 175 South Third Street Columbus, OH 43215 UNITED STATES		

Goods/Services Subject to Cancellation

Class 035. First Use: 2010/09/20 First Use In Commerce: 2010/09/20 All goods and services in the class are cancelled, namely: providing a searchable database directory listing of lawyers via a global computer network

Grounds for Cancellation

<i>Torres v. Cantine Torresella S.r.l.Fraud</i>	808 F.2d 46, 1 USPQ2d 1483 (Fed. Cir. 1986)
Priority and likelihood of confusion	Trademark Act section 2(d)

Marks Cited by Petitioner as Basis for Cancellation

U.S. Application No.	78013019	Application Date	06/16/2000
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LAWYERFINDER		

Design Mark	LAWYERFINDER
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 1996/04/30 First Use In Commerce: 1996/05/31 Legal resource, advertising, Internet Marketing

U.S. Application No.	85484175	Application Date	11/30/2011
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	LAWYERFINDER		
Design Mark	LAWYERFINDER		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/04/30 First Use In Commerce: 1997/05/31 Providing a searchable online advertising website and informational guide featuring the goods and services of other vendors via the internet in the field of law		

Attachments	78013019#TMSN.gif (1 page)(bytes) 85484175#TMSN.jpeg (1 page)(bytes) Petition To Cancel.pdf (10 pages)(49781 bytes) Williams Petition to Cancel Exhibits.pdf (64 pages)(4671329 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Travis Tunnell/
Name	Travis Tunnell

Date	01/17/2012
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of trademark Registration No. 3,933,108
For the mark: LAWYERFINDER.COM
Date registered: October 5, 2010

JAMES WILLIAMS and LAURIE :
WILLIAMS. :

Petitioners :

Cancellation No.: _____

v. :

PETITION TO CANCEL

COLUMBUS BAR ASSOCIATION :

Registrant :

PETITION TO CANCEL

James and Laurie Williams (“Petitioners”) have been and believe they will continue to be damaged by the continued registration of the mark LAWYERFINDER.COM (“the Mark”) shown in United States Trademark Registration No. 3,933,108 (“the Registration”), which according to the United States Patent and Trademark Office’s (“USPTO”) website, was filed on September 29, 2010 and registered on March 15, 2011, and hereby petition for cancellation of this Registration.

As grounds for cancellation, Petitioners allege:

I. The Parties.

1. Petitioners, James and Laurie Williams, are publishers of the website www.lawyerfinder.com, and their address is 14304 Gate Dancer Lane, Boyds, Maryland 20841.
2. The name and address of the current owner of U.S. Registration No 3,933,108 for LAWYERFINDER.COM is the Columbus Bar Association (“Registrant”), located at 175 South Third Street, Suite 1100, Columbus, Ohio 43215.

II. The Registration: LAWYERFINDER.COM

3. Petitioners incorporate the above paragraphs of Petitioners' grounds of cancellation against Registrant and makes such paragraphs a part hereof.

4. Registrant represented in its application that it used the Mark LAWYERFINDER.COM in connection with "providing a searchable database directory listing of lawyers via a global computer network", in International Class 35, and represented that its first use of the Mark in commerce with said goods and services was on September 20, 2010. See Exhibit A.

III. Petitioners' Mark And Services: LAWYERFINDER and www.layerfinder.com

5. Petitioners incorporate the above paragraphs of Petitioners' grounds of cancellation against Registrant and makes such paragraphs a part hereof.

6. Petitioners are owners of the common law mark "LAWYERFINDER," which they have used in commerce since May 31, 1997.

7. Petitioners own and operate a website known as "LAWYERFINDER™", which is located at the domain www.layerfinder.com. See Exhibit B.

8. Petitioners' LAWYERFINDER website provides users with a searchable directory of advertisements featuring lawyers and law firms, and it also offers a number of legal informational articles and other services.

9. On June 16th, 2000 Petitioners filed a trademark application, Serial No. 78013019, for the mark LAWYERFINDER. However, this application was ultimately abandoned after Petitioners failed to timely respond to an office action sent by the Examining Attorney. See Exhibit C.

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