ESTTA Tracking number:

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12/08/2020

## 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	Better Weekdays, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	1040 S. GAYLORD STREET, DENVER, CO 80209 UNITED STATES	#26	

information  SCHIFFRIN & LONGO, P.C. 8200 GREENSBORO DRIVE, SUITE 900 MCLEAN, VA 22102 UNITED STATES Primary Email: jon@schiffrinlaw.com 7032885248	Correspondence information	MCLEAN, VA 22102 UNITED STATES Primary Email: jon@schiffrinlaw.com
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## Registration Subject to Cancellation

Registration No.	5190647	Registration date	04/25/2017
Registrant	Mentor.Space LLC 1133 15TH STREET NW 12TH FLOOR WASHINGTON, DC 20005 UNITED STATES		

## Goods/Services Subject to Cancellation

Class 045. First Use: 2016/08/12 First Use In Commerce: 2016/08/12

All goods and services in the class are subject to cancellation, namely: Internet-based social networking services; Providing on-line computer databases and on-line searchable databases in the field of social networking

#### Grounds for Cancellation

ſ	Abandonment	Trademark Act Section 14(3)
		(0)

Attachments	mentorspace petition to cancel.pdf(471822 bytes )
Signature	/jonaschiffrin/
Name	Jon A. Schiffrin
Date	12/08/2020



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

Better Weekdays, Inc	c.,	§	
		§	
	Petitioner,	§	
		§	Cancellation No.
V.		§	
		§	
Mentor.Space LLC,		§	
		§	
	Respondent.	§	

#### **PETITION TO CANCEL**

Better Weekdays, Inc. ("Petitioner") believes that it is and will continue to be damaged by the registration of the mark MENTOR.SPACE, U.S. Registration No. 5,190,647, and hereby petitions to cancel the same pursuant to the provisions of 15 U.S.C. § 1064.

- 1. Mentor.Space LLC dba Mentor.Space LLC ("Respondent") is the record owner of U.S. Registration No. 5,190,647 for the mark MENTOR.SPACE for "Internet-based social networking services; Providing on-line computer databases and on-line searchable databases in the field of social networking," in Class 45.
  - 2. Respondent's registration issued on April 25, 2017.
- 3. Upon information and belief, Respondent does not provide Internet-based social networking services or computer databases and searchable databases in the field of social networking, and has no intent to provide these services under the MENTOR.SPACE trademark.
- 4. Respondent's MENTOR.SPACE mark would refer to a domain name under <a href="https://www.mentor.space">www.mentor.space</a>, and there is no content on this site. Exhibit A. Petitioner has not been able to find any use of this mark online, even though Respondent is providing Internet-based services.



5. On May 28, 2020, Petitioner filed an intent-to-use application for MENTOR

SPACES, covering, prepackaged software that facilitates interactions between current employees

and potential candidates to an organization. That application was refused registration based on

Respondent's MENTOR.SPACE mark on September 3, 2020.

6. On information and belief, Respondent has ceased use in commerce of

MENTOR.SPACE with no intention to resume use, and Respondent has not used

MENTOR.SPACE in connection with the services identified in Registration No. 5,190,647 for at

least the past three years, and therefore, has abandoned the mark in connection with the services

identified in that registration.

7. The continued existence of Registration No. 5,190,647 damages Petitioner, as the

registration confers upon Respondent various statutory presumptions to which it is not entitled in

view of the abandonment of Respondent's mark.

WHEREFORE, pursuant to Section 14 of the Lanham Act, 15 USC §1064, Petitioner

respectfully requests that U.S. Registration No. 5,190,647 be canceled and that this Petition to

Cancel be sustained.

Respectfully submitted,

Better Weekdays, Inc.

Date: December 8, 2020

By:

y:

Jon A. Schiffrin

Schiffrin & Longo, P.C.

8200 Greensboro Drive, Suite 900

McLean, VA 22102

(703) 288-5248



### **CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing Petition to Cancel was served on Respondent at its address of record, Mentor.Space LLC dba MentorSpace LLC, 1133 15<sup>th</sup> Street NW, 12<sup>th</sup> Floor, Washington, D.C. 20005 by First Class postage prepaid, this 8th day of December, 2020.

Jon A. Schiffrin



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