

ESTTA Tracking number: **ESTTA1340472**
Filing date: **02/15/2024**

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	CCLI, LLC		
Entity	limited liability company	Incorporated or registered in	Delaware
Address	17205 SE MILL PLAIN BLVD. SUITE 150 VANCOUVER, WA 98683 UNITED STATES		

Attorney information	AUSTIN PADGETT TROUTMAN PEPPER HAMILTON SANDERS LLP 600 PEACHTREE ST. NE, SUITE 3000 ATLANTA, GA 30308 UNITED STATES Primary email: trademarks@troutman.com Secondary email(s): austin.padgett@trademarks.com 4048853155		
Docket no.	255188.2		

Registration subject to cancellation

Registration no.	7281550	Registration date	01/16/2024
Register	Supplemental		
Registrant	MULTITRACKS.COM, LLC 1500 ARROW POINT DR., SUITE 701 CEDAR PARK, TX 78613 UNITED STATES		

Goods/services subject to cancellation

<p>Class 042. First Use: Jun 27, 2022 First Use In Commerce: Jun 27, 2022 All goods and services in the class are subject to cancellation, namely: Providing a website featuring on-line non-downloadable software that enables users to access non-downloadable custom prepared binary files for use in the live performance of music; on-line non-downloadable computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information, namely, audio files such as musical rehearsal tracks and custom sessions; online non-downloadable computer software for use in the field of planning, preparation, rehearsal, publication and performance of music and lyrics for worship services</p>
<p>Class 045. First Use: Jun 27, 2022 First Use In Commerce: Jun 27, 2022 All goods and services in the class are subject to cancellation, namely: Copyright management and licensing for musical works and lyrics; copyright management and administration of rights in musical works and lyrics</p>

Grounds for cancellation

Priority and likelihood of confusion	Trademark Act Sections 23(a) and 2(d)
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Marks cited by petitioner as basis for cancellation

U.S. registration no.	3812489	Application date	03/14/2008
Register	Principal		
Registration date	07/06/2010	Foreign priority date	NONE
Word mark	CHURCH COPYRIGHT LICENSE		
Design mark			
Description of mark	NONE		
Goods/services	Class 035. First use: First Use: Oct 1, 1988 First Use In Commerce: Oct 1, 1988 commercial administration of the licensing of copyrights of others Class 045. First use: First Use: Oct 1, 1988 First Use In Commerce: Oct 1, 1988 copyright management and licensing		

U.S. application/ registration no.	NONE	Application date	NONE
Register	NONE		
Registration date	NONE		
Mark	CHURCH COPYRIGHT LICENSE		
Goods/services	Granting rights to ministries and institutions to make copies of musical compositions; Granting rights to ministries and institutions to record live performances of music; Granting rights to ministries and institutions to organize and store digital files of musical compositions to assist with the planning, preparation, and rehearsal for the performance of music and display of lyrics in worship services; Online non-downloadable software platforms and online tools that assist ministries and institutions integrate and use content and provide reporting on such usage		

Attachments	Petition.pdf(141482 bytes) Exhibit A.pdf(646724 bytes)
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Signature	/Austin Padgett/
Name	Austin Padgett
Date	02/15/2024

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

In the Matter of Registration No. 7281550
For the mark: CHURCH STREAMING LICENSE
Registered: January 16, 2024

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CCLI, LLC,	:	
	:	Cancellation No. _____
Petitioner,	:	
	:	
v.	:	
	:	
MULTITRACKS.COM, LLC,	:	
	:	
Respondent.	:	
-----	X	

PETITION TO CANCEL

CCLI, LLC ("**Petitioner**"), a limited liability company organized and existing under the laws of Delaware with a principal place of business at 17205 SE Mill Plain Blvd. Suite 150, Vancouver, Washington 98683, believes that it has been and will continue to be damaged by U.S. Trademark Supplemental Registration No. 7281550 for the mark CHURCH STREAMING LICENSE, and hereby petitions for cancellation of same pursuant to Section 14(1) of the Lanham Trademark Act of 1946 ("**Lanham Act**"), 15 U.S.C. § 1064(1).

As grounds for cancellation, Petitioner alleges as follows:

1. Petitioner is an affiliated holding company of Christian Copyright Licensing International, LLC. (together, with Petitioner, "**CCLI**"), a leading provider of content and resources for churches and religious organizations worldwide and Petitioner's licensee for the use of the CCLI Mark (defined below). With a strong commitment to supporting the creative process of songwriters and artists, CCLI facilitates the authorized use of music within the religious community. As the Petitioner in this TTAB cancellation action, CCLI seeks to protect its intellectual property rights and maintain the integrity of its brand, which has been built on trust, reliability, and a deep understanding of how religious institutions interact with content and its creators.

2. CCLI specializes in providing authorized music content to Christian ministries and institutions, enabling them to reproduce song lyrics, music, and other material during their services and events. As a trusted intermediary between content owners and religious organizations, Petitioner ensures that artists and songwriters are fairly compensated for their work.

3. Petitioner is the owner of valid and subsisting United States Trademark Registration No. 3812489 on the Principal Register in the United States Patent and Trademark

Office for CHURCH COPYRIGHT LICENSE (hereinafter the "CCLI Mark") for the following services:

Class 35:	commercial administration of the licensing of copyrights of others
Class 45:	copyright management and licensing

4. The registration for the CCLI Mark issued on July 6, 2010, and has become incontestable within the meaning of Section 15 of the Lanham Act, 15 U.S.C. § 1065. Attached as Exhibit A is a true and correct copy of the registration certificate and a printout from the United States Patent and Trademark Office electronic database showing the current status and title of the registration.

5. Petitioner, through its licensees, also uses the CCLI Mark in granting rights to ministries and institutions to: (i) make copies of musical compositions; (ii) record live performances of music; and (iii) organize and store digital files of musical compositions to assist with the planning, preparation, and rehearsal for the performance of music and display of lyrics in worship services.

6. CCLI licenses the CCLI Mark to authorized third parties for use in connection with online non-downloadable software platforms and online tools that assist ministries and institutions integrate and use content and provide reporting on such usage. All of the services provided under the CCLI Mark, whether included in the registration or not, are hereinafter referred to as "CCLI's Services."

7. Petitioner, through its authorized licensees, has used the CCLI Mark in interstate commerce in the United States continuously since October 1, 1988, in connection with the provision of CCLI's Services listed in its registration and, since that time, has used the CCLI Mark in connection with all of CCLI's Services, either directly or through authorized licensees.

8. As a result of its widespread, continuous, and exclusive use of the CCLI Mark to identify CCLI's Services and Petitioner as their source, Petitioner owns valid and subsisting federal statutory and common law rights to the CCLI Mark.

9. The CCLI Mark is distinctive to both the consuming public and Petitioner's trade.

10. Upon information and belief, Respondent, MultiTracks.com, LLC, a Texas limited liability company with a record address at 1500 Arrow Point Dr., Suite 701, Cedar Park, Texas 78613, is the current listed owner of Registration No. 7281550 for the mark CHURCH STREAMING LICENSE in connection with the following services:

Class 42:	Providing a website featuring on-line non-downloadable software that enables users to access non-downloadable [<i>sic</i>] custom prepared binary files for use in the live performance of music; on-line non-downloadable [<i>sic</i>] computer software for the collection, editing, organizing, modifying, book marking, transmission, storage and sharing of data and information, namely, audio files such as musical rehearsal tracks and custom sessions; online non-downloadable computer software for use in the field of planning, preparation,
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	rehearsal, publication and performance of music and lyrics for worship services
Class 45:	Copyright management and licensing for musical works and lyrics; copyright management and administration of rights in musical works and lyrics

11. Respondent's trademark registration, based on an application filed on July 12, 2022, was issued on January 16, 2024, and bears a first-use date of June 27, 2022.

12. The CCLI Mark has priority over Respondent's mark because Petitioner's first-use and registration date for the CCLI Mark predates the filing date of Respondent's application for Registration No. 7281550 or any other date on which the Respondent may rely for purposes of priority.

13. Respondent's mark CHURCH STREAMING LICENSE is confusingly similar to the CCLI Mark CHURCH COPYRIGHT LICENSE.

14. The services covered by Respondent's Trademark Registration No. 7281550 are competitive and overlap with CCLI's Services. Indeed, upon information and belief, Respondent vies to provide directly competitive services to CCLI's customers and potential customers.

15. Respondent's Registration No. 7281550 is unrestricted as to consumers and trade channels. As such, it is presumed that Respondent's services identified in the challenged registration are sold to all ordinary consumers of such services, including consumers of CCLI's Services, and travel in all ordinary trade channels, including those through which Petitioner provides CCLI's Services under the CCLI Mark.

FIRST GROUND FOR CANCELLATION — LIKELIHOOD OF CONFUSION

16. Respondent's registration should be cancelled because it consists of or comprises a mark that so resembles Petitioner's previously used and registered CCLI Mark as to be likely, when used in connection with Respondent's services, to cause confusion, mistake, or deception within the meaning of 15 U.S.C. § 1052(d), and to cause damage to Petitioner thereby.

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