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Filing date: **08/27/2012**

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	Kingdom Security, L.L.C.		
Entity	LIMITED LIABILITY COMPANY	Citizenship	Texas
Address	PO BOX 1189 La Porte, TX 77572 UNITED STATES		

Correspondence information	John S. Egbert Egbert Law Offices, PLLC 1314 Texas, 21st Floor Houston, TX 77002 UNITED STATES mail@egbertlawoffices.com Phone:713-224-8080
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Registration Subject to Cancellation

Registration No	3465275	Registration date	07/15/2008
Registrant	Kingdom Security, LLC 529 East Skyline Drive Purcellville, VA 20132 UNITED STATES		

Goods/Services Subject to Cancellation

Class 045. First Use: 2007/02/28 First Use In Commerce: 2007/02/28 All goods and services in the class are cancelled, namely: Personal security consultation

Grounds for Cancellation

Priority and likelihood of confusion	Trademark Act section 2(d)
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Mark Cited by Petitioner as Basis for Cancellation

U.S. Application No.	85704340	Application Date	08/15/2012
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	KINGDOM SECURITY		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 037. First use: First Use: 2007/02/23 First Use In Commerce: 2007/02/23 Installation of commercial and industrial security systems; burglar alarm installation, maintenance and repair; fire alarm installation, maintenance and repair; installation, repair and replacement of locks; installation of intercom and public address systems, IP (Internet protocol) cameras, closed circuit television systems, access control systems, biometric identification apparatus
Attachments	85704340#TMSN.jpeg (1 page)(bytes) 2720-1 Petition to Cancel.pdf (11 pages)(620196 bytes)

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	/2720-1/
Name	John S. Egbert
Date	08/27/2012

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

In the Matter of Registration No. 3,465,275
Registered on July 15, 2008

Kingdom Security, L.L.C.

Petitioner,

v.

Kingdom Security, LLC

Registrant.

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Cancellation No. _____

PETITION FOR CANCELLATION

The Petitioner, Kingdom Security, L.L.C. (hereinafter "Petitioner"), a Limited Liability Company of Texas, having an address of PO BOX 1189, La Porte, TX 77572, believes it is and will be damaged by the continued registration of U.S. Registration No. 3,465,275 on the Principal Register and hereby petitions for cancellation of said registration.

As grounds for this petition, it is alleged that:

1. Upon information and belief, Registrant Kingdom Security, LLC (hereinafter "Registrant") is a Limited Liability Company of Virginia having an address of 529 East Skyline Drive, Purcellville, VA 20132. Such limited liability company is listed as the owner of the "KINGDOM SECURITY AND DESIGN" Mark, U.S. Registration No. 3,465,275, registered on the Principal Register on July 15, 2008 for "Personal security consultation" in International Class 045. Registrant claims an alleged date of first use in commerce of February 28, 2007.

2. Petitioner is owner of an application for the "KINGDOM SECURITY" mark, U.S. Application No. 85/704,340, filed on August 15, 2012 for use on "Installation of commercial and industrial security systems; burglar alarm installation, maintenance and repair; fire alarm installation,

maintenance and repair; installation, repair and replacement of locks; installation of intercom and public address systems, IP (Internet protocol) cameras, closed circuit television systems, access control systems, biometric identification apparatus" in International Class 037. A true copy of the records from the USPTO electronic database showing the status and title for said application is attached hereto as Exhibit A.

3. Registration of Petitioner's "KINGDOM SECURITY" mark will inevitably be initially refused by the US Patent and Trademark Office by reason of the existence of Registrant's similar "KINGDOM SECURITY AND DESIGN" mark on the Principal Register. For this reason, Petitioner has a reasonable belief that the continued existence of Registrant's "KINGDOM SECURITY AND DESIGN" registration will prevent the application for Petitioner's "KINGDOM SECURITY" Mark from continuing to registration.

4. Commencing prior to Registrant's alleged date of first use of Registrant's Mark in U.S. commerce of February 28, 2007, and prior to the filing date of Registrant's Mark, Petitioner has engaged, and is now engaged in the manufacture, distribution, sale, advertising and promotion in interstate commerce of services in International Classes 037 under Petitioner's "KINGDOM SECURITY" mark.

5. Use of Petitioner's "KINGDOM SECURITY" marks has been continuous, exclusive, public, and substantial since a date of first use in U.S. commerce at least as early as February 23, 2007.

6. Registrant's Mark is confusingly similar to Petitioner's "KINGDOM SECURITY" mark because:

- a. Registrant's mark is identical in appearance to Petitioner's "KINGDOM SECURITY" mark;
- b. Registrant's mark is identical in sound to Petitioner's "KINGDOM SECURITY" mark;
- c. Registrant's mark is identical in connotation to Petitioner's "KINGDOM SECURITY" mark;
- d. the services of Petitioner and the services of Registrant are similar and are marketed through the same channels of trade and to the same general class of consumers; and
- e. Petitioner's "KINGDOM SECURITY" mark enjoys a high level of distinctiveness.

7. As a result of Petitioner's promotion and use of Petitioner's "KINGDOM SECURITY" mark in connection with its services, the trade and purchasing public have come to know and recognize Petitioner's "KINGDOM SECURITY" mark and have associated the same with Petitioner and Petitioner's services.

8. Petitioner's "KINGDOM SECURITY" mark constitutes the lawful, valued, subsisting, and exclusive property of Petitioner. As a result of the high quality of Petitioner's services, and the extensive services rendered and advertising made under Petitioner's "KINGDOM SECURITY" mark, the aforementioned mark has become an intrinsic and essential part of the valuable goodwill and property of Petitioner and are recognizable and associated by the public as a symbol identifying and distinguishing Petitioner's services as those of exceptional quality.

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