

ESTTA Tracking number: **ESTTA1286628**Filing date: **05/22/2023**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	1 Group, LLC dba StoveGuard		
Entity	LLC	Citizenship	Ohio
Address	6377 WEST 29TH STREET PARMA, OH 44134 UNITED STATES		

Correspondence information	NATHAN GUGLIOTTA, ESQ. ATTORNEY OF RECORD GUGLIOTTA & GUGLIOTTA, LPA P.O. BOX 506 RICHFIELD, OH 44286 UNITED STATES Primary email: trademarks@inventorshelp.com Secondary email(s): add-to-things-dqwmajglsqmyhtm2m59@things.email 3302532225
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**Registration subject to cancellation**

Registration no.	4038130	Registration date	10/11/2011
Register	Principal		
Registrant	JAZ Innovations, L.L.C. 6555 CONVENT BLVD. SYLVANIA, OH 43560 UNITED STATES		

**Goods/services subject to cancellation**

Class 017. First Use: Jul 31, 2003 First Use In Commerce: Jul 31, 2003 All goods and services in the class are subject to cancellation, namely: Sleeve made of low thermal mass, low rate of thermal conduction, fire resistant material that is secured around a front rail of a metal oven rack to inhibit burns by giving people time to pull their hands or arms away from the hot metal rail before a burn occurs
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**Grounds for cancellation**

The mark is or has become generic	Trademark Act Section 14(3)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols	Trademark Act Sections 14(3) and 2(a)
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)

## Marks cited by petitioner as basis for cancellation

U.S. application no.	97452742	Application date	06/10/2022
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	OVENGUARD		
Design mark			
Description of mark	NONE		
Goods/services	<p>Class 011. First use: First Use: None First Use In Commerce: None</p> <p>Oven covers, namely, fitted liners for ovens; Oven liners, namely, fitted liners for ovens; Fabric covers for electric toasters; Fabric covers for electric toaster ovens; fitted covers for refrigerators; Cooking products, namely, toaster oven inserts, namely, liners for electric toaster ovens in the nature of heat-transmitting containers for providing uniform heat and humidity during cooking; fitted covers for faucets; faucet covers, namely, child safe protective covers for bathtub spouts; fitted bath tub cover; fitted covers for showers; fitted liners for baths and showers; fixture covers, namely, light fixture covers, namely, lampshades; Covers for household appliances, namely, fitted covers for refrigerators; liners and inserts for household appliances, namely, fitted liners for ovens; Splatter liners, namely, non-stick oven liners for catching spills; Splash liners for household appliances, namely, non-stick oven liners for catching spills</p>		

U.S. registration no.	5444953	Application date	06/04/2017
Register	Principal		
Registration date	04/10/2018	Foreign priority date	NONE
Word mark	STOVEGUARD		
Design mark			
Description of mark	<p>The mark consists of The words "Stove" and "Guard" in a frame with rounded corners. the top part to the frame is red and the bottom part of the frame is black. The word "stove" uses a round stove great for the letter "O" and "O" is red. All the other letters are black.</p>		
Goods/services	<p>Class 021. First use: First Use: Dec 4, 2017 First Use In Commerce: Dec 4, 2017</p> <p>Stove burner covers</p>		

U.S. registration no.	6254561	Application date	12/17/2019
Register	Principal		
Registration date	01/26/2021	Foreign priority date	NONE
Word mark	STOVE GUARD		
Design mark			
Description of mark	NONE		
Goods/services	Class 011. First use: First Use: Dec 2, 2019 First Use In Commerce: Dec 2,		

	2019 Cooking products, namely, liners for conventional ovens in the nature of heat-transmitting containers for providing uniform heat and humidity during cooking; Disposable aluminum oven liners for catching spills Class 021. First use: First Use: Dec 4, 2017 First Use In Commerce: Dec 4, 2017 Stove burner covers
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U.S. registration no.	6868017	Application date	09/02/2021
Register	Principal		
Registration date	10/04/2022	Foreign priority date	NONE
Word mark	STOVE GUARD PREMIUM		
Design mark			
Description of mark	NONE		
Goods/services	Class 021. First use: First Use: Aug 15, 2022 First Use In Commerce: Aug 15, 2022 Stove burner covers		

U.S. registration no.	6918440	Application date	06/01/2022
Register	Principal		
Registration date	12/06/2022	Foreign priority date	NONE
Word mark	STOVEGUARD		
Design mark			
Description of mark	NONE		
Goods/services	Class 011. First use: First Use: Dec 2, 2019 First Use In Commerce: Dec 2, 2019 Cooking products, namely, liners for conventional ovens in the nature of heat-transmitting containers for providing uniform heat and humidity during cooking; Disposable aluminum oven liners for catching spills Class 021. First use: First Use: Dec 4, 2017 First Use In Commerce: Dec 4, 2017 Stove burner covers		

U.S. registration no.	6936717	Application date	03/16/2022
Register	Principal		
Registration date	12/27/2022	Foreign priority date	NONE
Word mark	STOVEGUARD LITE		
Design mark			
Description of mark	NONE		
Goods/services	Class 021. First use: First Use: Sep 1, 2021 First Use In Commerce: Sep 1, 2021		

	Stove burner covers
Attachments	OvenGuard Petition to Cancel Oven Rack Guard.pdf(98232 bytes ) Exhibit A Oven Rack Guard.pdf(860857 bytes ) Exhibit B Guard Definition Meaning Dictionary.pdf(220490 bytes )
Signature	/NJG/
Name	Nathan Gugliotta, Esq.
Date	05/22/2023

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

1 Group, LLC  
Dba StoveGuard

Cancellation No.

Petitioner,

Registration No. 4,038,130

v.

JAZ Innovations, L.L.C.

Respondent.

Petition for Cancellation

Petitioner 1 Group, LLC dba StoveGuard (“StoveGuard”) hereby submits its petition for cancellation against Respondent JAZ Innovations, L.L.C. (“JAZ”) as follows:

Factual Allegations

1. Petitioner owns its “StoveGuard” and related brands, including but not limited to the marks set forth in U.S. Registrations Nos. 5,444,953, 6,254,561, 6,868,017, 6,918,440, 6,936,717 (the “StoveGuard Registrations”).
2. Petitioner continually invests and expands its product offerings. As a result, Petitioner is the owner of U.S. Trademark Application Serial No. 97/452,742 for “OvenGuard” (the “OvenGuard Mark”) in International Class 11 for “Oven covers, namely, fitted liners for ovens; Oven liners, namely, fitted liners for ovens; Fabric covers for electric toasters; Fabric covers for electric toaster ovens; fitted covers for

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