

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Grow Financial Federal Credit Union
Trademark: GROW & Design
Serial No.: 86/434,309
Filing Date: October 24, 2014
International Classes: 36
Attn: Michael Eisnach
Trademark Examining Attorney
Law Office 104
Our ref: 10900-3

REQUEST TO SUSPEND

In an Office Action dated August 20, 2015, the United States Patent and Trademark Office made final its refusal to register the above-captioned mark based on an alleged likelihood of confusion with US Trademark Registration Nos. 4,439,373 and 4,428,802.

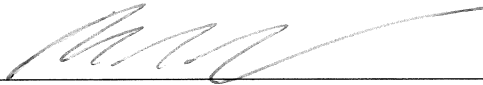
On February 19, 2016, Applicant filed a petition to cancel the cited registrations with the Trademark Trial and Appeal Board (filing receipt attached). Accordingly, Applicant respectfully requests the Examining Attorney to suspend examination of the instant application pending resolution of the cancellation proceeding.

Date: February 19, 2016

Respectfully submitted,

AKERMAN, LLP

By:



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Electronic System for Trademark Trials and Appeals

Receipt

Your submission has been received by the USPTO.
 The content of your submission is listed below.
 You may print a copy of this receipt for your records.

ESTTA Tracking number: **ESTTA728099**

Filing date: **02/19/2016**

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	Grow Financial Federal Credit Union		
Entity	federally chartered credit union	Citizenship	United States
Address	9927 Delaney Lake Drive Tampa, FL 33619 UNITED STATES		

Attorney information	Mark D. Passler Akerman LLP 777 S. Flagler Drive Suite 1100, West Tower West Palm Beach, FL 33401 UNITED STATES ip@akerman.com Phone:561-653-5000
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Registrations Subject to Cancellation

Registration No	4428802	Registration date	11/05/2013
	BancorpSouth Bank		

Registrant	One Mississippi Plaza Tupelo, MS 38804 UNITED STATES
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Goods/Services Subject to Cancellation

Class 036. First Use: 2013/03/29 First Use In Commerce: 2013/03/29
All goods and services in the class are cancelled, namely: Banking

Grounds for Cancellation

Priority and likelihood of confusion		Trademark Act section 2(d)	
Registration No	4439373	Registration date	11/26/2013
Registrant	BancorpSouth Bank One Mississippi Plaza Tupelo, MS 38804 UNITED STATES		

Goods/Services Subject to Cancellation

Class 036. First Use: 2013/03/29 First Use In Commerce: 2013/03/29
All goods and services in the class are cancelled, namely: Banking

Grounds for Cancellation

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

U.S. Registration No.	3376331	Application Date	09/20/2006
Registration Date	01/29/2008	Foreign Priority Date	NONE
Word Mark	GROW FINANCIAL FEDERAL CREDIT UNION		
Design Mark	77003153#TMSN.png		
	The mark consists of the words GROW FINANCIAL FEDERAL		

Description of Mark	CREDIT UNION with the design of a leaf attached above the "g" in the word GROW.
Goods/Services	Class 036. First use: First Use: 2007/09/04 First Use In Commerce: 2007/09/07 banking and credit union services; financial services, namely, mortgage lending and credit card services; insurance agency services

U.S. Registration No.	4793962	Application Date	12/18/2014
Registration Date	08/18/2015	Foreign Priority Date	NONE
Word Mark	G		
Design Mark	86484939#TMSN.png		
Description of Mark	The mark consists of a lowercase "G" in a stylized font with a single leaf growing from the top.		
Goods/Services	Class 036. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 banking and credit union services; financial services, namely, mortgage lending and credit card services; insurance agency services		

U.S. Application No.	86434309	Application Date	10/24/2014
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GROW		
Design Mark	86434309#TMSN.png		
Description of Mark	The mark consists of the word "grow" in a stylized font with a single leaf growing from the top of the "g".		
Goods/Services	Class 036. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 banking and credit union services; financial services, namely, mortgage lending and credit card services; insurance agency services		

U.S. Application No.	86436944	Application Date	10/28/2014
Registration		Foreign	

Date	NONE	Priority Date	NONE
Word Mark	GROW FINANCIAL FEDERAL CREDIT UNION		
Design Mark	86436944#TMSN.png		
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2007/09/04 First Use In Commerce: 2007/09/07 banking and credit union services; financial services, namely, mortgage lending and credit card services; insurance agency services		

U.S. Application No.	86574386	Application Date	03/24/2015
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	GROW FINANCIAL		
Design Mark	86574386#TMSN.png		
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2007/09/04 First Use In Commerce: 2007/09/07 banking and credit union services; financial services, namely, mortgage lending and credit card services; insurance agency services		

Attachments	77003153#TMSN.png(bytes) 86484939#TMSN.png(bytes) 86434309#TMSN.png(bytes) 86436944#TMSN.png(bytes) 86574386#TMSN.png(bytes) 10900final.pdf(1897882 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	/Mark D. Passler/
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Name	Mark D. Passler
Date	02/19/2016

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