

BUSINESS REGISTRATION DIVISION
OFFICE OF ADMINISTRATIVE HEARINGS
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
STATE OF HAWAII

In the Matter of the Registered Entity

Case No.

PETITION FOR ORDER OF
ABATEMENT AGAINST
INFRINGEMENT OF TRADE NAME,
TRADEMARK, OR SERVICE MARK

PETITION FOR ORDER OF ABATEMENT AGAINST INFRINGEMENT
OF TRADE NAME, TRADEMARK, OR SERVICE MARK

Petitioner, _____ (“Petitioner”), hereby petitions the Director
of the Department of Commerce and Consumer Affairs, State of Hawaii, for an order of
abatement against the infringement of a trade name, trademark, or service mark by the
Respondent _____ (“Respondent”).

1. Petitioner is the owner of *(check as applicable)*:
 - Trade name:
 - Trademark (description):
 - Service Mark (description):
2. Petitioner’s principal place of business (or, if applicable, residence):
3. Respondent’s name and current address of its principal place of business:
4. Name and current address of Respondent’s officer, director, partner,
general partner, manager, member, or registered agent in the State of Hawaii:

5. Respondent is an entity registered or authorized to transact business under the laws of the State of Hawaii.

6. Respondent registered its name, _____, on _____

7. The statutory section relied upon for the order of abatement is/are _____

(check as applicable):

Hawaii Revised Statutes ("HRS") § 482-8.5(a) (confusingly similar)

HRS § 482-8.5(b) (substantially identical)

Other (listed)

8. If relying on HRS § 482-8.5(b), Petitioner was issued the certificate of registration for the trade name _____ on _____

_____, Certificate of Registration No. _____.

9. Facts in support of this petition are as follows *(Include facts showing Petitioner's common law rights of ownership of the trade name or mark and that these rights are being infringed upon by Respondent, whose name is confusingly similar to Petitioner's trade name or mark (HRS § 482-8.5(a)); and/or facts showing Respondent's subsequently registered name is substantially identical to Petitioner's registered trade name (HRS § 482-8.5(b)); and facts supporting the claim that further use of Respondent's registered name should be abated. Attach additional pages if necessary.):*

WHEREFORE, Petitioner requests the Director of the Department of Commerce and Consumer Affairs to issue an order of abatement against the infringement of the aforesaid trade name, trademark, or service mark by the Respondent and for any other relief as provided by law.

Dated: _____, Hawaii _____.
(city) (date)

Signature of Petitioner