

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Trademark Trial and Appeal Board
2900 Crystal Drive
Arlington, Virginia 22202-3513

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Mailed: January 16, 2004

Cancellation No. 92030742

FAIMONT HOTEL MANAGEMENT,

L.P.

v.

EVENTIDE

On July 29, 2003, respondent filed a voluntary surrender under Section 7(e) of the Trademark Act of its Registration No. 1906172.

Trademark Rule 2.134(a) provides that if the respondent in a cancellation proceeding applies to cancel its involved registration under Section 7(e) without the written consent of every adverse party to the proceeding, judgment shall be entered against respondent.

In view thereof, and because petitioner's written consent to the voluntary surrender is not of record, judgment is hereby entered against respondent, the petition to cancel is granted, and Registration No. 1,906,172 will be cancelled in due course.

***By the Trademark Trial
and Appeal Board***