

In accordance with the Board's decision in *Federal Trade Commission v. Formica Corporation*, 209 U.S.P.Q. 255 (TTAB 1980), Petitioner believes its motion for dismissal with prejudice is proper and should be granted pursuant to Trademark Rule 2.114(c).

WHEREAS, Petitioner respectfully requests the Trademark Trial and Appeal Board to grant it motion to dismiss this cancellation proceeding with prejudice.

Respectfully submitted,

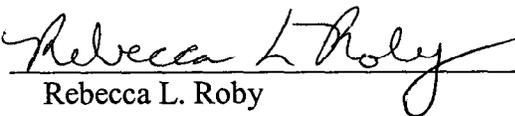
Date: June 20, 2002

By: 
Philip Baker-Shenk
Rebecca L. Roby
Attorneys for Petitioner
Dorsey & Whitney, LLP
1001 Pennsylvania Ave., NW
Suite 400 South
Washington, D.C. 20004
(202) 824-8800

Certificate of Service

I, Rebecca L. Roby, hereby certify that on this 20th day of June, 2002 I caused a copy of the foregoing Motion to Dismiss for Cancellation No. 92/040,213 to be served upon Respondents by mailing a copy by regular U.S. mail, postage prepaid, addressed to:

Miriam Claire Beezy
Greenberg Glusker Fields Claman Machtinger & Kinsella LLP
1900 Avenue of the Stars, Suite 2100
Los Angeles, California 90067-4590

By: 
Rebecca L. Roby
Attorneys for Petitioner
Dorsey & Whitney, LLP
1001 Pennsylvania Ave., NW
Suite 400 South
Washington, D.C. 20004
(202) 442-3000

To: **United States Patent and Trademark Office**
BOX TTAB – NO FEE

TTAB

From: Dorsey & Whitney, LLP
1001 Pennsylvania Avenue NW, Suite 400 South
Washington, D.C., 20004
Tel. 202-442-3000



06-20-2002
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #71



2002-
Dorsey & Whitney Filing Number

June 20, 2002
Filing Date

DEPOSIT ACCOUNT AUTHORIZATION <u> X </u> Please debit any fees from Deposit Acct No. 04-1425 and cite our Ref. No: 449126-00008 <i>Rebecca L. Roby</i> Rebecca L. Roby	Cancellation No.: 92/040,213 Trademark: Zeeks, Inc. V. Richard Dale Christy and Betty Ann Christy Client No.: 449126-00008 Atty. Dkt. No.: 36991
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The following items/fees are submitted herewith to the U.S. Patent & Trademark Office:

ITEMS:

- X Transmittal Sheet
- New U.S. TM App. (use based) w/ Decl., Power of Attny, Drawing Page, specimens, return postcard
- New U.S. TM App. (intent-to use) w/ Declaration, Power of Attorney, Drawing Page, return postcard
- Priority Document - Cert. copy of Application or Registration
- Request for Corrected Filing Receipt
- Request for Corrected Certificate of Registration
- Amendment or Response to Office Action
- Request to Divide Application
- Request for Suspension of Action
- Request for Extension of Time
- Declaration under §8 with 1 specimen per class
- Declaration under §§ 8 & 15 incl. 1 specimen per class
- Renewal Application incl. 1 specimen per class
- Assignment with Cover Sheet
- Amendment to Allege Use or Statement of Use with 1 specimens per class
- Power of Attorney/Revocation and New Power of Attorney
- Attorney's Change of Address
- Withdrawal of Application/Express Abandonment
- Notice of Opposition
- X **Motion to Dismiss Petition for Cancellation**
- Applicant's Answer to TTAB Proceeding
- Attorney Name and Address Change

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TRADEMARK TRIAL AND
APPEAL BOARD

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U.S. PTO FEES ENCLOSED

<u> </u>	Filing Fee
<u> X </u>	New Application Fee
<u> </u>	Recordation
<u> </u>	Extension Fee
<u> </u>	Notice of Opposition Fee
<u> </u>	Petition to Cancel Fee
<u> </u>	Statement of Use Fee
<u> </u>	§ 8 Affidavit Fee
<u> </u>	§§ 8 and 15 Affidavit Fee
<u> </u>	TM Renewal Application Fee
<u> </u>	Expedited Processing Fee
<u> </u>	Amendment to Allege Use Fee
<u> </u>	Fee to Amend Mark
<u> </u>	Request to Divide Application
<u> </u>	Additional Class Fee
<u> </u>	No Fee
<u> \$ </u>	Total Fees Enclosed
<u> </u>	Check No.
<u> </u>	Deposit Account Authorization 04-1425