

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

DMD

Mailed: December 8, 2003

Cancellation No. 92040906

PREMIER CANDLE CORP.

v.

STARLUME, INC.

Denise M. DelGizzi, Paralegal Specialist

On July 21, 2003, petitioner filed a withdrawal of the petition to cancel in accordance with the parties' settlement agreement.

Trademark Rule 2.114(c) provides that after an answer is filed, the petition to cancel may not be withdrawn without prejudice except with the **written** consent of respondent.

In view thereof, and because the withdrawal was filed after answer, the petition to cancel is dismissed with prejudice.

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