

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Registration No. 2,280,179  
Date of Issuance: September 21, 1999

FOOT & ANKLE CLINICS OF AMERICA, LLC )  
 )  
 Petitioners, )  
 )  
 v. )  
 )  
 FOOT & ANKLE CENTERS OF AMERICA, INC. )  
 )  
 Registrant. )  
 \_\_\_\_\_ )

Cancellation No. 92042238

**MOTION TO DISMISS CANCELLATION PROCEEDING WITHOUT PREJUDICE**

Petitioner, Foot & Ankle Clinics of America, LLC, by their attorneys, respectfully moves to dismiss the above Petition for Cancellation and Cancellation Proceeding without prejudice, the parties having negotiated and executed a settlement agreement which resolves all of the differences between them with respect to U.S. Registration No. 2,280,179.

Respectfully submitted,



\_\_\_\_\_  
Craig S. Fochler  
Manoj J. Khandekar

WILDMAN, HARROLD, ALLEN & DIXON, LLP  
225 West Wacker Drive  
Chicago, Illinois 60606-1229  
(312) 201-2000

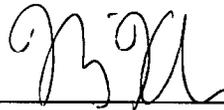
Attorneys for Petitioner Foot & Ankle Clinics of  
America, LLC

**CERTIFICATE OF SERVICE**

I, Manoj J. Khandekar, an attorney for Petitioner, hereby certify that a true copy of the foregoing MOTION TO DISMISS CANCELLATION PROCEEDING WITHOUT PREJUDICE was served upon:

Mark F. Warzecha  
BOWERS HARRISON, LLP  
25 N.W. Riverside Drive  
P.O. Box 1287  
Evansville, IN 47706-1287  
Attorneys for Registrant

this 22nd day of October, 2004, by first class mail, postage prepaid.



---

**Wildman, Harrold, Allen & Dixon**  
225 West Wacker Drive  
Chicago, Illinois 60606-1229  
312-201-2000  
312-201-2555 fax  
www.wildmanharrold.com

**TTAB**



**Wildman Harrold**  
*Attorneys and Counselors*

**Manoj J. Khandekar**  
**312-201-2927**  
**khandekar@wildmanharrold.com**

October 22, 2004

BOX TTAB – NO FEE  
Commissioner for Trademarks  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Re: Motion to Dismiss Cancellation Proceeding Without Prejudice  
Foot & Ankle Clinics of America, LLC vs. Foot & Ankle  
Centers of America, Inc.  
Registration No.: 2,280,179  
Granted: September 21, 1999  
Mark: FOOT & ANKLE CENTERS OF  
AMERICA  
Our Ref. No.: S1175.00002

Dear Sir or Madam:

Enclosed are the original plus two copies of Petitioner, Foot & Ankle Clinics of America, LLC's, Motion to Dismiss Cancellation Proceeding Without Prejudice. I have also enclosed a self-addressed postcard which we request you return to us as confirmation that you have received the above-identified documents.

Very truly yours,

Wildman, Harrold, Allen & Dixon LLP

Manoj J. Khandekar

MJK:dpb

Enclosures

cc: Craig S. Fochler, Esq. (w/encl.)  
Mark F. Warzecha, Esq. (w/encl.)

1443970/v1

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and enclosures are being deposited with the United States Postal Services with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Trademarks, BOX TTAB – NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on 10/22/04.

Doris M. Brown