

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

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Mailed: October 3, 2006

Cancellation No. 92045152

James A. Frost, dba Frost
Cutlery

v.

Ginkgo International, Ltd.

Petitioner, without the written consent of respondent, filed a withdrawal of the petition for cancellation on July 19, 2006.

Trademark Rule 2.114(c) provides that after an answer is filed, the petition for cancellation may not be withdrawn without prejudice except with the written consent of respondent. On July 19, 2006 the Board allowed petitioner *thirty days* to submit respondent's written consent to the withdrawal. There has been no response thereto.

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

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