

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

tlc/coggins

Mailed: October 7, 2009

Cancellation No. 92046637

Mattress Firm, Inc.

v.

Living Spaces Furniture, LLC

On September 25, 2009, respondent filed a voluntary surrender under Section 7(e) of the Trademark Act of its Registration No. 3088627, with petitioner's written consent.

In view thereof, the petition to cancel is dismissed without prejudice in accordance with Trademark Rule 2.134(a), and the registration will be cancelled in due course pursuant to Section 7(e) of the Trademark Act.

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