

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

RK/vb

Mailed: March 20, 2011

Cancellation No. **92048654**

WWRD Ireland IPCO LLC

v.

TOB International Marketing
Corp.

On January 3, 2011, respondent filed a voluntary surrender under Section 7(e) of the Trademark Act of its Registration Nos. 3231740 and 3292390.

Trademark Rule 2.134(a) provides that if the respondent in a cancellation proceeding applies to cancel its involved registration under Section 7(e) without the written consent of every adverse party to the proceeding, judgment shall be entered against respondent.

In view thereof, and because petitioner's written consent to the voluntary surrender is not of record, **judgment is hereby entered against respondent, the petition to cancel is granted, and Registration Nos. 3231740 and 3292390 will be cancelled in due course.**

The Board notes that respondent has not withdrawn its counterclaim against Registration No. 2892400. Accordingly,

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proceedings are **SUSPENDED** and respondent is allowed **THIRTY DAYS** from the mailing date of this order in which to withdraw the counterclaim, failing which the proceeding will go forward on the counterclaim.¹

*By the Trademark Trial
and Appeal Board*

¹ In view of respondent's voluntary surrender of the involved registrations pursuant to an agreement between the parties, petitioner's consented motion to suspend proceedings for settlement filed November 30, 2010, is **MOOT**.