

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

Baxley

Mailed: September 10, 2008

Cancellation No. 92048775

Emoda.Com Corporation

v.

EMOD

By the Trademark Trial and Appeal Board:

On September 9, 2008, respondent filed a voluntary surrender under Trademark Act Section 7(e), 15 U.S.C. Section 1057(e), of its Registration No. 3294672.

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 No. 3294672 will be cancelled in due course.