

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

Tdc

Mailed: February 5, 2010

Cancellation No. 92049023

Kespelher Wine Shippers GmbH

v.

Dale W. Bronstein dba First  
National Wine & Spirits Co.

Petitioner, without the written consent of respondent, filed a withdrawal of the petition for cancellation on February 3, 2010.

Trademark Rule 2.114(c) provides that after an answer is filed, the petition for cancellation may not be withdrawn without prejudice except with the written consent of respondent.

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***