

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

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Mailed: July 11, 2009

Cancellation No. 92050318

Makur Designs, Inc.

v.

Solid 21 Incorporated

Petitioner, without the written consent of respondent, filed a withdrawal of the petition for cancellation on June 26, 2009.¹

Trademark Rule 2.114(c) provides that after an answer is filed, the petition for cancellation may not be withdrawn without prejudice except with the written consent of respondent.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

¹ Petitioner's withdrawal does not indicate proof of service of a copy of same on counsel for respondent as required by Trademark Rule 2.119. In order to expedite this matter, a copy of said withdrawal is forwarded herewith to counsel for respondent.

