

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

BUTLER

Mailed: May 31, 2011

Cancellation No. 92050750

SENSIENT TECHNOLOGIES  
CORPORATION

v.

SENSORYEFFECTS POWDER  
SYSTEMS, INC. by change of  
name FROM DIEHL FOOD  
INGREDIENTS, INC.<sup>1</sup>

On March 30, 2011, respondent filed a motion to resume proceedings, which had been suspended because the parties were involved in civil litigation, and to dismiss the petition to cancel in view of the judgment entered in respondent's favor in the district court action between the parties.<sup>2</sup> Petitioner has not filed a response to respondent's motion.

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<sup>1</sup> The change of name is recorded at Reel 4549, Frame 0377. See TBMP § 512.02 (3d ed. 2011).

<sup>2</sup> *Sensient Technologies Corp. and Sensient Flavors LLC v. SensoryEffects Flavor Co. et al, including Diehl Food Ingredients, Inc.*, Case No. 4:08-CV-336-ERW in the United States District Court for the Eastern District of Missouri. On July 21, 2010, the Eighth Circuit affirmed the District Court's entry of summary judgment. Case No. 09-2686. A petition for rehearing en banc was denied on August 26, 2010.

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Respondent's motion to dismiss the petition to cancel in view of the decision in the court case is hereby granted as conceded. See Trademark Rules 2.127(a).

Accordingly, the petition to cancel is dismissed with prejudice.

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