

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

coggins

Mailed: March 8, 2011

Cancellation No. 92053345

West Coast Beverage LLC

v.

David Ravandi

No answer having been timely received, the Board issued notice of default to respondent allowing him thirty days in which to show cause why judgment should not be entered against him. Now before the Board is respondent's February 8, 2011 response.

By his response, respondent states that the parties have settled the matter and that he concurrently filed a voluntary surrender without prejudice of the registration.<sup>1</sup> The Board is persuaded that the foregoing constitutes good cause to set aside respondent's default. See *Fred Hayman Beverly Hills, Inc. v. Jacques Bernier, Inc.*, 21 USPQ2d 1556 (TTAB 1991). Accordingly, the notice of default is discharged.

---

<sup>1</sup>Neither filing includes proof of service on petitioner as required by Trademark Rule 2.119. In order to expedite this matter, petitioner is directed to the following URL's where it view a copy of the filings:  
<http://ttabvueint.uspto.gov/ttabvue/v?pno=92053345&pty=CAN&eno=5>  
<http://ttabvueint.uspto.gov/ttabvue/v?pno=92053345&pty=CAN&eno=6>

Cancellation No. 92053345

Concurrently with his response, respondent filed a voluntary surrender, without prejudice, under Section 7(e) of the Trademark Act of his Registration No. 3377353, with petitioner's written consent; and petitioner's withdrawal of the petition without prejudice.

In view thereof, the petition to cancel is dismissed without prejudice, and the registration will be cancelled without prejudice in due course pursuant to Section 7(e) of the Trademark Act.

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