

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

nmt

Mailed: June 7, 2012

Cancellation No. 92054488

Dan Patrick Enterprises,  
Inc.

v.

Trex Samson, LLC

**Elizabeth A. Dunn, Attorney (571-272-4267):**

On April 24, 2012, respondent was allowed thirty days to file the required verification or declaration and filing fee for its amendment to its Registration No. 3868745, failing which the petition to cancel would go forward on the registration as issued and dates would be reset.

On May 23, 2012, respondent filed the appropriate declaration and fee with the Board.

Inasmuch as the amendment now complies with all of the procedural requirements of Trademark Rule 2.173, it is clearly limiting in nature, and petitioner consents thereto, it is approved. See Trademark Rule 2.133(a).

The amendment will be forwarded to the Post Registration Branch of this Office for appropriate action in accordance with Section 7(e) of the Trademark Act.

If this resolves the dispute herein, petitioner is allowed until June 23, 2012 to file a withdrawal of the petition to cancel, failing which the petition to cancel will go forward on the registration as amended. See Trademark Rule 2.114(c).