

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

Kk/DUNN

Mailed: September 11, 2012

Cancellation No. 92054737

Three-D Spirits, Inc.

v.

Voodoo Tiki Tequila  
Corporation

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

Pursuant to Trademark Rule 2.119(e), "Every paper filed in an inter partes proceeding, and every request for an extension of time to file an opposition, must be signed by the party filing it, or by the party's attorney or other authorized representative, but an unsigned paper will not be refused consideration if a signed copy is submitted to the Patent and Trademark Office within the time limit set in the notification of this defect by the Office." Accordingly, no consideration will be given to the August 31, 2012 filing on behalf of petitioner which was not signed by either petitioner or counsel for petitioner, but by counsel for respondent.

Counsel for respondent is advised that he may file and sign a correction to petitioner's August 21, 2012 withdrawal of the petition to cancel which notes that (i) the parties reached a settlement agreement, (ii) petitioner inadvertently filed a withdrawal which failed to specify that the petition was withdrawn with prejudice pursuant to the parties' settlement agreement, and (iii) respondent is making this corrective filing with petitioner's consent to request that the petition be withdrawn with prejudice. Counsel for respondent would, of course, sign the filing and include a certificate of service on petitioner.

Proceedings herein are suspended for THIRTY DAYS pending respondent's response to this order, failing which the Board's August 22, 2012 order remains in effect and this proceeding will be terminated.

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