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Filing date: **10/24/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92055717
Party	Plaintiff Atlantic Capes Fisheries, Inc.
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Submission	Withdrawal of Cancellation
Filer's Name	Garrett A. Barten
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Signature	/Garrett A. Barten/
Date	10/24/2013
Attachments	Notice of Settlement and Withdrawal of Petition for Cancellation.pdf(19290 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re: Registration No. 3,536,673
Issued: November 25, 2008
For: HIGH SEAS GOURMET ALBACORE TUNA
Cancellation No.: 92055717

ATLANTIC CAPES FISHERIES, INC.
a New Jersey Corporation

Petitioner,

v.

MICHAEL BROWN, Individually

Registrant.

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NOTICE OF SETTLEMENT AND WITHDRAWAL OF CANCELLATION

Petitioner, Atlantic Capes Fisheries, Inc., hereby notifies the Trademark Trial and Appeal Board that the Parties have reached a co-existence agreement and, in accordance of the terms of the agreement, Petitioner hereby requests withdrawal of Cancellation No.: 92055717.

Date: October 24, 2013

Respectfully Submitted,

By: /Garrett A. Barten/
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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I, Garrett Barten, hereby certify that on this 24th day of October, 2013, the foregoing Notice of Settlement and Withdrawal of Petition for Cancellation was filed electronically via ESTTA and was served on Registrant's counsel of record by U.S. Mail and email at the following address:

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By: /Garrett A. Barten/
Garrett A. Barten, Esq.

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