

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

Mailed: May 19, 2015

Cancellation No. 92056634

Guru Beverage Co.

v.

Sagar Shah dba Nature's Guru

By the Trademark Trial and Appeal Board:

On November 19, 2014, the parties filed a stipulated proposed amendment to Respondent's Registration No. 4125408, and Petitioner's withdrawal of the petition to cancel, contingent upon entry of the amendment.

The above referenced stipulated proposed amendment was not verified or supported by a declaration under Trademark Rule 2.20. Accordingly, on January 27, 2015, the Board, while accepting the parties' stipulated proposed amendment allowed Respondent 30 days within which to submit the required declaration in support of the amendment.

On February 4, 2015, Respondent submitted the required declaration.

Inasmuch as the amendment now complies with the requirements of Trademark Rule 2.173, it is limiting in nature, and Petitioner stipulates thereto, the amendment is approved. *See* Trademark Rule 2.133(a).

The amendment will be forwarded to the Post Registration Branch of this Office for entry of the amendment in accordance with Section 7(e) of the Trademark Act in Class 35 as follows:¹

Powder and concentrates used in the preparation of fruit-flavored beverages and tea-flavored beverages.

The contingency in Petitioner's earlier withdrawal having now been met, the petition to cancel is dismissed in accordance with the agreement between the parties.

¹ A copy of the Board's order granting the amendment, and respondent's declaration, will be forwarded electronically for uploading to the record of the registration.