

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

MT

Mailed: November 18, 2013

Cancellation No. 92056856

Ska Brewing Co.

v.

Duclaw Brewery, LLC

**Monique Tyson, Paralegal Specialist:**

On August 23, 2013, respondent filed a voluntary surrender under Section 7(e) of the Trademark Act of its Registration No. 3781138 only, with petitioner's written consent.<sup>1</sup>

Additionally, on October 21, 2013 petitioner filed a motion to extend discovery and trial dates, which included a copy of the parties' confidential settlement agreement.

In view thereof, the petition to cancel is dismissed without prejudice in accordance with Trademark Rule 2.134(a) as to Registration No. 3781138 only; Registration No. 3781138 will be cancelled in due course pursuant to Section 7(e) of

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<sup>1</sup>Respondent's undeliverable mail dated September 3, 2013 is noted. It is also noted that respondent's address was updated and entered on April 17, 2013.

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the Trademark Act and petitioner is allowed TEN DAYS from the mailing date of this order to file a non-confidential motion to extend discovery and trial dates.

Proceedings are suspended.