

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

MT

Mailed: November 13, 2013

Cancellation No. 92057365

Caprico USA LLC

v.

Tracie Martyn International
LLC

Monique Tyson, Paralegal Specialist:

On October 21, 2013, petitioner filed a withdrawal of the petition to cancel with an allegation of respondent's "consent."

Trademark Rule 2.114(c) provides that after an answer is filed, the petition to cancel may not be withdrawn without prejudice except with the **written** consent of respondent.

In view thereof, petitioner is allowed thirty days from the mailing date of this order in which to submit respondent's written consent to the withdrawal, failing which the petition to cancel will be dismissed with prejudice.