

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451  
General Contact Number: 571-272-8500

nmt

Mailed: April 22, 2014

Cancellation No. 92057379

Astarté Cosmetics, Inc.

v.

My Shade of Brown

**By the Trademark Trial and Appeal Board:**

On January 10, 2014, the Board allowed respondent thirty days to show cause why the Board should not construe the July 30 and September 18, 2013 filings as voluntary surrenders of Registration No. 4256137 under Section 7(e).

No response has been received by the Board.

Inasmuch as Trademark Rule 2.134(a) provides that if the respondent in a cancellation proceeding applies for cancellation of the involved registration under Section 7(e) of the Trademark Act without the written consent of every adverse party to the proceeding, judgment shall be entered against respondent.

In view thereof, and because petitioner's written consent to the voluntary surrender is not of record, judgment is entered against respondent, the petition to cancel is granted, and Registration No. 4256137 will be cancelled in due course by the Commissioner for Trademarks.