

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

AM

Mailed: August 6, 2014

Cancellation No. 92058448

Einstok Beer Company, L.P.

v.

Cary Hensley

By the Trademark Trial and Appeal Board:

On August 2, 2014, respondent filed a voluntary surrender of its Registration No. 4395373 under Section 7(e) of the Trademark Act.¹

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. 4395373 will be cancelled in due course by the Commissioner for Trademarks.

¹ Respondent's voluntary surrender of an incorrect registration, also filed August 2, 2014 will be given no further consideration.