

BULKY EXHIBITS

Proceeding No.	92058698
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Filing Date	11/13/2014
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TITLE : Certificate of Registration – Principal Register for 3629655 & 3575223
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92058698

EXHIBIT LABEL



92058698E010P1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re:

Reg. No. 3,575,223

Mark:



Family Mexican Restaurant

Reg. No. 3,629,655

Mark:



Family Mexican Restaurant

MTC, INC.,
Petitioner,

v.

JOSE NICHOLAS MORALES and
MANUAL MORALES,
Respondents.

Cancellation No.:
92058698

**REGISTRANTS' VOLUNTARY CANCELLATION OF REGISTRATION
NOS. 3575223 AND 3629655 WITH PETITIONER'S CONSENT**

Pursuant to Section 7(e) of the Trademark Act, TMEP §1608 and TBMP §602.02(a), Registrants Jose Nicholas Morales and Manual Morales ("Registrants") hereby voluntarily cancel their U.S. Trademark Reg. Nos. 3575223 and 3629655, which are the subject of Cancellation No. 92058698. The original certificates have been lost by Registrants and are no longer available.

This application for voluntary cancellation is being filed with the written consent of the Petitioner in the above identified cancellation proceeding.

Petitioner hereby consents to Registrants' Application for Voluntary Cancellation, and moves the Board to enter cancellation of U.S. Trademark Reg. Nos. 3575223 and 3629655.

In view of the Registrants' voluntary cancellation, Petitioner hereby withdraws its Petition to Cancel and requests that Cancellation Proceeding No. 92058698 thereafter be dismissed with prejudice.

Dated: 11/5, 2014.

Respectfully submitted,

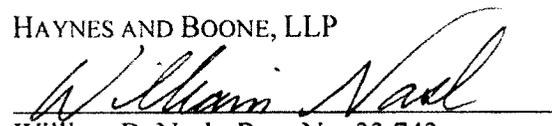
KNEELAND LAW, LLC



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Fort Collins, CO 80521
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ATTORNEYS FOR RESPONDENTS

HAYNES AND BOONE, LLP



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**ATTORNEYS FOR PETITIONER,
MTC, INC.**

November 12, 2014

Via Federal Express

Trademark Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1451
Alexandria, VA 22313-1451

77437741

(Physical Address)
Madison East, Concourse Level Room C55
600 Dulany Street
Alexandria, VA 22314

RE: Cancellation No. 92058698, "*MTC, Inc. v. Jose Nicholas Morales and Manual Morales*" as to Reg. Nos. 3575223 and 3629655 (Our File No. 46409.17.06)

Dear Sirs:

Enclosed please find the following documents which are submitted jointly by the parties for filing in Cancellation Proceeding No. 92058698.

Registrants' Voluntary Cancellation of Registration Nos. 3575223 and 3629655 With Petitioner's Consent,

- a. *Original* Certificate of Registration No. 3629655, submitted for cancellation by Registrants, and
- b. *Original* Certificate of Registration No. 3575223, submitted for cancellation by Registrants.

Please file the "Registrants' Voluntary Cancellation of Registration Nos. 3575223 and 3629655 With Petitioner's Consent" with the records in this proceeding, cancel the two original Certificates of Registration that have been surrendered by the Registrants, and provide the TTAB's confirmation of the withdrawal of the Petition to Cancel in this regard.

Haynes and Boone, LLP
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11-13-2014

November 12, 2014

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Should additional information be required to complete the cancellation of these registrations, and further withdrawal of the Petition to Cancel, please contact the undersigned. Thank you for your assistance in this matter.

Sincerely,



William B. Nash

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Email: ipdocketing@haynesboone.com;

bill.nash@haynesboone.com

WBN:vjd

Enclosures

cc: Registrants' Morales (w/enc.)

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 3,575,223

Registered Feb. 17, 2009

**SERVICE MARK
PRINCIPAL REGISTER**



Family Mexican Restaurant

JOSE NICHOLAS MORALES (MEXICO INDIVIDUAL)
16689 WELD COUNTY ROAD 13
PLATTEVILLE, CO 80651 AND
MANUAL MORALES (MEXICO INDIVIDUAL)
150 WOLFENSBERGER ROAD
CASTLE ROCK, CO 80104

FOR: BAR AND RESTAURANT SERVICES, IN CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-1989; IN COMMERCE 1-1-1989.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "3 MARGARITAS FAMILY MEXICAN RESTAURANT", APART FROM THE MARK AS SHOWN.

THE COLOR(S) GREEN, GOLD, RED IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF GREEN FLOWER PETALS, GOLD FLOWER CENTER, RED LETTERING OF "3 MARGARITAS", GREEN LETTERING OF "FAMILY MEXICAN RESTAURANT", RED FRAMING AROUND "3 MARGARITAS".

SER. NO. 77-437,741, FILED 4-2-2008.

VIVIAN MICZNIK FIRST, EXAMINING ATTORNEY

Int. Cl.: 43

Prior U.S. Cls.: 100 and 101

Reg. No. 3,629,655

United States Patent and Trademark Office

Registered June 2, 2009

SERVICE MARK
PRINCIPAL REGISTER



Family Mexican Restaurant

MORALES, JOSE NICHOLAS (MEXICO INDIVIDUAL)

16689 WELD COUNTY ROAD 13
PLATTEVILLE, CO 80651 AND

MORALES, MANUAL (MEXICO INDIVIDUAL)

150 WOLFENSBERGER ROAD
CASTLE ROCK, CO 80104

FOR: RESTAURANT AND BAR SERVICES, IN
CLASS 43 (U.S. CLS. 100 AND 101).

FIRST USE 1-1-1980; IN COMMERCE 1-1-1980.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "LAS MARGARITAS FAMILY
MEXICAN RESTAURANT", APART FROM THE
MARK AS SHOWN.

THE MARK CONSISTS OF ONE FLOWER AND
LETTERING "LAS MARGARITAS FAMILY MEX-
ICAN RESTAURANT".

SER. NO. 77-437,120, FILED 4-1-2008.

VIVIAN MICZNIK FIRST, EXAMINING ATTOR-
NEY