

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

RA/apb

Mailed: December 24, 2014

Cancellation No. 92059743

Luxco, Inc.

v.

Richard Allan England

By the Trademark Trial and Appeal Board:

On October 14, 2014, (1) Respondent filed a voluntary surrender of his involved Registration No. 4306180 under Trademark Act Section 7(e), 15 U.S.C. § 1057(e), and (2) Petitioner filed a stipulation to withdraw the fraud claim with petitioner's written consent.

In view of such filings, Petitioner's pleaded fraud claim is dismissed without prejudice. *See* Trademark Rule 2.114(c). Because Petitioner's consent to the surrender of the involved registration is not of record, judgment is entered with regard to the remaining claim under Trademark Act Section 2(d), 15 U.S.C. § 1052(d). *See* Trademark Rule 2.134(a). Registration No. 4306180 will be cancelled in due course.