

ESTTA Tracking number: **ESTTA652793**

Filing date: **01/28/2015**

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

|                        |   |
|------------------------|---|
| Proceeding             | 92060086  |
| Party                  | Plaintiff<br>BBK Tobacco & Foods, LLP dba HBI International   |
| Correspondence Address | BRENDAN N MAHONEY<br>BBK TOBACCO & FOODS LLP DBA HBI INTERNATIONAL<br>3315 W BUCKEYE RD #4<br>PHOENIX, AZ 85009<br>UNITED STATES<br>legal@hbiin.com |
| Submission             | Other Motions/Papers  |
| Filer's Name           | Brendan N. Mahoney, Esq.  |
| Filer's e-mail         | legal@hbiin.com   |
| Signature              | /Brendan N. Mahoney/  |
| Date                   | 01/28/2015  |
| Attachments            | King Pen stipulated entry of judgment for cancellation.pdf(342587 bytes )   |

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

*In re* Trademark Registration

Registration No.: 4579500  
Mark: King Pen  
Class: 010  
Registrant: XS Distribution, LLC

|                          |   |   |
|--------------------------|---|---|
| BBK TOBACCO & FOODS, LLP | ) |   |
|                          | ) | Cancellation No.: 92060086              |
| Petitioner,              | ) |   |
|                          | ) |   |
| v.                       | ) | <b>JOINT STIPULATION FOR ENTRY</b>      |
|                          | ) | <b>OF JUDGMENT AGAINST REGISTRANT</b>   |
| XS DISTRIBUTION, LLC     | ) | <b>AND CANCELLATION OF REGISTRATION</b> |
|                          | ) |   |
| Registrant.              | ) |   |

**PETITION FOR CANCELLATION**

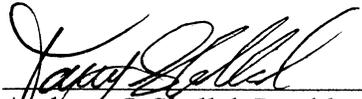
Petitioner, BBK TOBACCO & FOODS, LLP, and Registrant, XS Distribution, LLC, have settlement the dispute between them. A term of the settlement is cancellation of the registration number 4579500 for the mark KING PEN. Accordingly, Petitioner and Registrant hereby request entry of judgment with prejudice against Registrant and in favor of Petitioner in this matter and cancellation of registration number 4579500. Petitioner and Registrant each shall bear their own attorney's fees and costs.

Dated this 2nd day of January 2015.

BBK TOBACCO & FOODS, LLP

  
\_\_\_\_\_  
Brendan N. Mahoney, Esq.  
Attorney for Petitioner  
3315 W. Buckeye Rd #4  
Phoenix, AZ 85009

XS DISTRIBUTION LLC



Anthony J. Shallal, President  
31234 Warren Road  
Westland, Michigan 85185-3776

I certify that a copy of the foregoing  
was sent this same day via United States  
first class mail, postage prepaid, to:

XS Distribution LLC  
31234 Warren Road  
Westland, Michigan 85185-3776

Courtesy copy to [xsvapor@gmail.com](mailto:xsvapor@gmail.com)



Brendan N. Mahoney, Esq.