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Filing date: **08/16/2016**

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

Proceeding	92060688
Party	Defendant Strayhan Investments, Inc. dba Rubicon Brewing Company
Correspondence Address	SCOTT HERVEY WEINTRAUB TOBIN 9665 WILSHIRE BLVD 9TH FLOOR BEVERLY HILLS, CA 90212 UNITED STATES shervey@weintraub.com, trademarks@weintraub.com
Submission	Other Motions/Papers
Filer's Name	Scott Hervey
Filer's e-mail	shervey@weintraub.com, bshugart@weintraub.com, dmoreno@weintraub.com, trademarks@weintraub.com
Signature	/scotthervey/
Date	08/16/2016
Attachments	00053949.PDF(107662 bytes)

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

NODDING HEAD BREWERY,

Petitioner,

vs.

STRAYHAN INVESTMENTS, INC. d/b/a
RUBICON BREWING COMPANY,

Registrant.

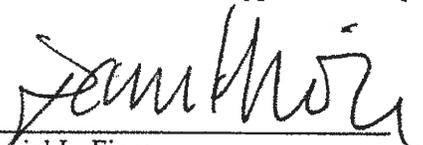
Registration No.: 4478085

Cancellation No.: 92060688

NOTICE OF EXPRESS ABANDONMENT WITH CONSENT

Pursuant to TBMP § 218 and 37 CFR §§ 2.68 and 2.135 and in response to the Trademark Trial and Appeal Board's Order dated June 23, 2016, Registrant STRAYHAN INVESTMENTS, INC. d/b/a RUBICON BREWING COMPANY ("Registrant") hereby expressly abandons Registration No. 4478085, the geographically unrestricted application for the mark MONKEY KNIFE FIGHT. This motion is made with the consent of Petitioner NODDING HEAD BREWERY ("Petitioner").

As such, Registrant requests that Trademark Trial and Appeal Board reconsider its Motion to Convert Opposition Proceeding No. 91226641 to a Concurrent Use Proceeding pursuant to TBMP § 1113.01(4). Registrant also requests that a new trial and briefing schedule be generated by the Trademark Trial and Appeal Board upon institution of the concurrent use proceeding.


Daniel L. Fiore
REGER RIZZO & DARNALL LLP
2929 Arch Street, Cira Centre 13th Floor
Philadelphia, PA 19104
Telephone: (215) 495-6533

Respectfully submitted,

/SMH/
Scott Hervey
WEINTRAUB TOBIN LAW
CORPORATION
10250 Constellation Blvd., Suite 2900
Los Angeles, California 90067

dfiore@regerlaw.com

Attorneys for Petitioner
Nodding Head Brewery

Telephone: (310) 858-7888

Facsimile: (310) 550-7191

Shervey@weintraub.com

Attorneys for Registrant
Strayhan Investments, Inc. d/b/a Rubicon
Brewing Company

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **NOTICE OF EXPRESS ABANDONMENT WITH CONSENT** has been served on the Petitioner by mailing said copy on August 16, 2016, via First Class Mail, postage prepaid to:

Daniel L. Fiore
REGER RIZZO & DARNALL LLP
2929 Arch Street, Cira Centre 13th Floor
Philadelphia, PA 19104
dfiore@regerlaw.com

I hereby further certify that the instant document was filed on the date indicated below via the Trademark Trial and Appeal Board's online electronic filing system.

Dated: August 16, 2016



Denise Moreno