

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

Mailed: November 18, 2015

Cancellation No. 92060880

Union Wine Company

v.

FN Cellars, LLC

Nicole Thier, Paralegal Specialist:

On November 2, 2015, the parties filed a stipulated withdrawal of the petition to cancel and withdrawal of the counterclaim.

Furthermore, on November 2, 2015, Respondent filed a voluntary surrender of its Registration No. 4618420 under Section 7(e) of the Trademark Act without Petitioner's written consent.

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, Respondent is allowed 30-days to submit Petitioner's written consent, failing which judgment will be entered against Respondent, the petition to

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cancel granted, and Registration No. 4618420 will be cancelled in due course by the
Commissioner for Trademarks.