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Filing date: **08/15/2016**

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

Proceeding	92062025
Party	Plaintiff Simmons Engineering Corporation d/b/a Simmons Knife & Saw Company
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Submission	Withdrawal of Petition to Cancel
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Date	08/15/2016
Attachments	Simturn Cancellation Dismissal 2016 08 15.pdf(298772 bytes )

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

In the matter of Registration No. 3,835,514  
Mark: SIMTURN  
Registered: August 17, 2010

**PETITION FOR CANCELLATION**

Simmons Engineering Corporation, d/b/a Simmons )		
Knife & Saw Company, )	)	
	)	
Petitioner )	)	
	)	
VS. )	)	Cancellation No. 92062025
	)	
Simtek Präzisionswerkzeuge GmbH )	)	
	)	
Respondent. )	)	

**JOINT MOTION FOR MODIFICATION AND DISMISSAL**

Pursuant to previous agreement between the parties, Petitioner and Respondent hereby jointly move the Board as follows:

1. Respondent requests that the '514 Registration be modified as follows:
  - 1.1. In Class 007: *Machines, namely, cutting machines, boring machines, drilling machines, pneumatic hammers, industrial machine presses, polishing machines for polishing wood, ceramics, rice and barley; saws, namely, chain saws, table saws, and circular saws, excluding single-piece saw blades, reciprocating saw blades, or saw bands; machine tools, namely, metalworking machine tools, tool bits for machines, extension bars for power tools, namely, for power and electrical drills, routers; power-operated machine tools, namely, milling cutters, power operated nailing guns, chucks for power drills, ratchet wrenches, screwdrivers, power operated reel for garden hose, shredders for industrial use, power saw blades, excluding single-piece saw blades, reciprocating saw*

*blades, or saw bands; blades for power saws, excluding single-piece saw blades, reciprocating saw blades, or saw bands; polishers, spray guns for spraying paint, drill bits; metal-cutting tools and metal-removing tools, namely, cutting blades as part of machines, cutting dies for use in cutting boxes for the packaging industry, cutting dies as part of machine, power-operated chisels, power drills, milling cutters, countersinking cutters, electric planes, power operated files, grinders, saws for such machines and tool machines, excluding single-piece saw blades, reciprocating saw blades, or saw bands; power-operated machine tools for machining metal, wood or plastics, namely, metal working machines, injection plastic molding machines, and electric scissors; and holders and receptacles for use with the aforementioned tools and machines.*

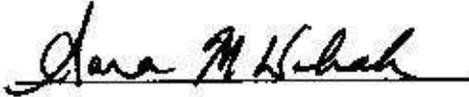
1.2. In Class 008: *Manually operated tools and devices for metal-cutting and non-cutting tools, namely, cutting blades, cutting dies, chisels, drills, milling cutters, countersinking cutters, planes, files, grinders, saws for machining metal, wood or plastics, excluding single-piece saw blades, reciprocating saw blades, or saw bands; and holders and receptacles for use with the aforementioned tools.*

2. Respondent believes that the proposed amendment consists of a clarification or narrowing, not an expansion of the identification of goods.

3. Petitioner moves for the Cancellation to be dismissed with prejudice. Respondent consents to the dismissal of the Cancellation.

Respectfully submitted,

SIMTEK Prazisionswerkzeuge GmbH



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Date: 7/15/16

Simmons Engineering Corporation  
d/b/a Simmons Knife & Saw Company



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