

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

jw/dmd

Mailed: March 24, 2016

Cancellation No. 92062168

Kore Wine Company

v.

Lavinia Seleccion, Sociedad Anonima

Joi Wilson, Paralegal Specialist:

On February 19, 2016, Petitioner filed a withdrawal of the petition to cancel without prejudice, and on February 22, 2016, Respondent filed a voluntary surrender of its Registration No. 2682282 under Section 7(e) of the Trademark Act.

Trademark Rule 2.114(c) provides that after an answer is filed, the petition to cancel may not be withdrawn without prejudice except with the written consent of Respondent.

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.

The Board notes that prior to filing these papers, the parties were previously involved in settlement negotiations. It is unclear whether the February 19, 2016

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and February 22, 2016 filings relate to the parties' settlement and desired disposition of the proceeding under the terms of the settlement.

Accordingly, the parties are allowed **THIRTY DAYS** from the mailing date of this order to provide the written consent of the voluntary surrender and the withdrawal of the petition to cancel, failing which judgment will be entered against Respondent, the petition to cancel will be granted with prejudice, and Registration No. 2682282 will be cancelled in due course.