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Filing date: **10/16/2015**

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

Proceeding	92062185
Party	Plaintiff Rhino International LLC
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Submission	Withdrawal of Cancellation
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Date	10/16/2015
Attachments	doc04817620151016153846.pdf(94273 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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RHINO INTERNATIONAL LLC	Cancellation No.: 92062185
	Mark: RHINO
Petitioner	Reg. No.: 3889569
	Issued: September 4, 1990
v.	and
CHURCH & DWIGHT CO., INC.	Reg. No.: 3873284
	Issued: February 24, 1998
Registrant	
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PETITIONER'S RESPONSE TO REGISTRANT'S MOTION FOR SANCTIONS
PURSUANT TO RULE 11 AND TBMP §527.02

Prior to instituting the captioned matter, the undersigned:

1. Reviewed USPTO records of RHINO and RHINO formative marks in the name of CHURCH & DWIGHT CO., INC. and noted that of the 8 registrations of record, all but the two that are the subject of this proceeding, were cancelled in 2013/2014 as the result of the failure of the registrant to file Section 8 declarations of use.
2. Accessed the registrant's web site and reviewed its products page at <http://www.churchdwight.com/brands-and-products/brand-browser.aspx> and did not find any references to RHINO or RHINO formative marks for

any goods or services, particularly vitamins and food supplements. I did note L'IL CRITTERS for vitamins.

3. Made a few calls trying to determine if the mark is in use and found nothing. I did not search Amazon.com. If I had and if I found RHINO for vitamins and food supplements, the within action would likely not have been instituted. Nevertheless a fair area of inquiry would be the relationship between Nutrition Now, the apparent source of the RHINO vitamins (see exhibit A and B to the declaration of Heather Hurst) and Dwight & Church, particularly as relates to quality control.

Nevertheless, despite the legitimate issue of quality control, Petitioner hereby withdraws the Petition for Cancellation.

BAKER and RANNELLS PA

Dated: October 16, 2015



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was forwarded by first class postage prepaid mail by depositing the same with the U.S. Postal Service on this 16th day of October, 2015 to counsel for the Registrant at the following address:

Brooks R. Bruneau
FisherBoyles, LLP
100 Oerlook Center
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By 
Stephen L. Baker