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Filing date: **04/13/2016**

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

Proceeding	92062314
Party	Defendant Downright Healthy Foods L.P.
Correspondence Address	JAMES R MENKER DOWNRIGHT HEALTHY FOODS LP HOLLEY & MENKER PA, PO BOX 331937 ATLANTIC BEACH, FL 32233 UNITED STATES eastdocket@holleymenker.com
Submission	Voluntary Surrender Of Registration
Filer's Name	James R Menker
Filer's e-mail	eastdocket@holleymenker.com
Signature	/jmenker/
Date	04/13/2016
Attachments	Voluntary Cancellation of US RN 3850126.pdf(162722 bytes)

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

Trader Joe’s Company,)	
)	
Petitioner,)	
)	Cancellation No. 92062314
v.)	
)	Registration No. 3850126
Downright Healthy Foods L.P.,)	
)	
Registrant.)	

**VOLUNTARY CANCELLATION OF REGISTRATION AND DISMISSAL OF
PETITION TO CANCEL WITHOUT PREJUDICE**

Pursuant to 37 CFR §§ 2.134(a), 2.172 and TBMP Rule 602.02, Registrant, Downright Healthy Foods L.P., through its undersigned attorneys, hereby voluntarily surrenders Registration No. 3850126. Petitioner, Trader Joe’s Company, through its undersigned attorneys, consents in writing to the cancellation of this registration. The parties request that the petition for cancellation be dismissed without prejudice.

Respectfully submitted,

Respectfully submitted,

TRADER JOE’S COMPANY

DOWNRIGHT HEALTHY FOODS L.P.

By: /Jordan Raphael/
Jordan Raphael

By: /jmenker/
James R. Menker

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing “VOLUNTARY CANCELLATION OF REGISTRATION AND DISMISSAL OF PETITION TO CANCEL WITHOUT PREJUDICE” was served on Petitioner’s attorney, Jordan Raphael of O’MELVENY & MYERS LLP with an email address of jraphael@omm.com, by agreement of the parties, today **April 13, 2016**.

By: /jmenker/
 James R. Menker