**UNITED STATES PATENT AND TRADEMARK OFFICE**
**Trademark Trial and Appeal Board**
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dav

October 12, 2019

Opposition No. 91197762 (parent)

Cancellation No. 92055153

*Embarcadero Technologies, Inc.*

*v.*

*Delphix Corp.*

**By the Trademark Trial and Appeal Board:**

On October 9, 2019, Applicant/Respondent Delphix Corp filed with prejudice, a stipulated abandonment of application Serial No. 77944256, along with a voluntary surrender of Registration No.3768914 under Section 7(e) of the Trademark Act. Contingent upon the abandonment and withdrawal, Opposer/Petitioner Embarcadero Technologies, Inc., withdrew with prejudice Opposition No. 91197762 and Cancellation No. 92055153.

Application Serial No. 77944256 stands abandoned, and registration No. 3768914 will be cancelled in due course by the Commissioner for Trademarks. Accordingly, the opposition and the petition to cancel are dismissed with prejudice in accordance the parties' settlement agreement. *See* Trademark Rule 2.134(a) and Trademark Rule 2.135.