

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

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MAILED  
JAN 12 2004  
PAT. & T.M. OFFICE

Cancellation No. 26,680

Habersham Plantation  
Corporation

v.

Krueger International,  
Inc.

Albert Zervas, Interlocutory Attorney

On December 14, 1998, the parties filed a motion "to Approve and Enter Consent Agreement" along with the Consent Agreement. Paragraph 2 of the Consent Agreement requires that petitioner amend the identification of goods in its application serial No. 75/049,216. Thus, on July 16, 1999, the Board suspended proceedings and forwarded the parties' Consent Agreement to the Examining Attorney assigned to petitioner's application serial No. 75/049,216 for consideration.

The records of the United States Patent and Trademark Office reflect that application Serial No. 75/049,216 has matured into Registration No. 2,712,298 with the identification of goods provided for in paragraph 2 of the

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Consent Agreement. The Board therefore turns to petitioner's consented motion "to Approve and Enter Consent Agreement," which seeks approval and entry of "the entirety" of the Consent Agreement.

Paragraph 7 of the Consent Agreement provides that petitioner "agrees to withdraw and dismiss, without prejudice, the current cancellation proceedings" in consideration of "the foregoing," which includes petitioner's amendment of its application to the identification of goods stated in Registration No. 2,712,298. Thus, petitioner's motion is granted to the extent that the Consent Agreement is made a part of the record for this proceeding, and this cancellation proceeding is dismissed in accordance with the terms of the Consent Agreement.

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