

**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
**Trademark Trial and Appeal Board**  
2900 Crystal Drive  
Arlington, Virginia 22202-3513

Mailed: May 13, 2004

Cancellation No. 92032595

NEWELL OPERATING COMPANY

v.

KRYPTONITE CORPORATION

**ANGELA CAMPBELL, PARALEGAL SPECIALIST:**

Petitioner, without the written consent of respondent, filed a withdrawal of the petition for cancellation on April 27, 2004.

Trademark Rule 2.114(c) provides that after an answer is filed, the petition for cancellation may not be withdrawn without prejudice except with the written consent of respondent.

In view thereof, and because the withdrawal was filed after answer, the petition for cancellation is dismissed with prejudice.

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