

**UNITED STATES PATENT AND TRADEMARK
OFFICE**

Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Mail date: May 2, 2005

Cancellation No. 92032940

Saffron Technology, Inc.

v.

**Tare, Ramkrishna S. for DB-
Tech, Inc.**

Cheryl Butler, Attorney, Trademark Trial and Appeal Board:

In an order dated January 11, 2005, the Board allowed Ramkrishna S. Tare (or his attorney) to inform the Board of his representation and current address. In the meantime, Sendroff & Associates, PC remained recognized as counsel of record.

This case now comes up on the following matters:

- 1) the withdrawal of Sendroff & Associates as counsel of record; and
- 2) the cancellation of respondent's subject registration under Section 8 of the Trademark Act.

Respondent's representation

On January 31, 2005, respondent's attorneys filed a request to withdraw as counsel of record in this case. The request to withdraw is counsel is granted. Sendroff & Associates, PC no longer represents respondent in this proceeding.

In view of the withdrawal of respondent's counsel, and in accordance with standard Board practice, proceedings herein are suspended, and respondent is allowed until **thirty days** from the

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mailing date of this order to appoint new counsel, or to file a paper stating that respondent chooses to represent himself. If respondent files no response to this matter and to the matter discussed below, the Board may enter judgment against respondent based on respondent's apparent loss of interest in the case.

Order to show cause under Trademark Rule 2.134(b)

It has come to the attention of the Board that respondent has permitted its Registration No. **2188744**, involved in this proceeding, to be cancelled under Section 8 of the Trademark Act.

In view thereof, respondent is allowed until **thirty days** from the mailing date of this order to show cause why such cancellation should not be deemed to be the equivalent of a cancellation by request of respondent without the consent of the adverse party, and should not result in entry of judgment against respondent as provided by Trademark Rule 2.134(a). In the absence of a showing of good and sufficient cause, judgment may be entered against respondent. See Trademark Rule 2.134(b).

If, in response to this order, respondent submits a showing that his failure to file a Section 8 affidavit was the result of inadvertence or mistake, judgment will not be entered against him.

In that case, petitioner will be given time in which to elect whether it wishes to go forward with the cancellation proceeding, or to have the cancellation proceeding dismissed without prejudice

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as moot. See *C. H. Guenther & Son Inc. v. Whitewing Ranch Co.*, 8 USPQ2d 1450 (TTAB 1988) and TBMP § 602.02(b) (2nd ed. rev. 2004).

Proceedings suspended

The parties will be notified by the Board when proceedings are resumed, and appropriate dates may be reset.

A copy of this order has been sent to all persons listed below.

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