

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

Mailed: August 22, 2003

Cancellation No. 92040268

RENEW RITE, L.L.C.

v.

BARDAHL MANUFACTURING
CORPORATION

David Mermelstein, Attorney:

On August 13, 2002, the Board suspended this proceeding for three months to allow the parties to submit a consent agreement to the examining attorney with respect to Application No. 76/137,421 (an application which is not currently before the Board).

The Board notes that the consent agreement appears to have been accepted, since the application in question has since been published, and a notice of allowance has issued. The condition (approval for publication by the examining attorney) set in petitioner's conditional withdrawal of the petition for cancellation (filed July 18, 2002) thus appears to have been satisfied.

In view thereof, and in view of respondent's written consent to the conditional withdrawal, the petition to

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cancel is dismissed without prejudice. See Trademark Rule
2.114(c).

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