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U.S. Patent & TMOfo/TM Mail RcptDt. #73

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

dmd

Mailed: December 16, 2003

Opposition No. 92040336

BOGGI INTERNATIONAL, INC.

v.

BOGGI, PAOLO

On August 26, 2002, the Board entered judgment by default against respondent, granted the petition to cancel, and stated that registration no. 2158072 would be cancelled in due course. On September 17, 2002, Registration No. 2158072 was cancelled in its entirety.

Because petitioner filed its petition to cancel only as to the goods in International Class 3 (and paid only the filing fee to cancel the single class), the subject registration should not have cancelled in its entirety. Specifically, Registration No. 2158072 should not have been cancelled as to the other goods in the registration, namely, in International Classes 18 and 25.

In view thereof, the board's order of September 17, 2002 is vacated only insofar as it inadvertently cancelled the registration in its entirety and it does not indicate that Registration No. 2158072 should be cancelled only with respect to the goods in International Class 3. The subject registration should not be cancelled with respect to the goods in International Classes 18 and 25.

The registration file will be forwarded to the office of the Commissioner for Trademarks for appropriate action.