

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Gustafson, LLC

Petitioner,

vs.

Shirlo, Inc.

Registrant

Cancellation No. 92041770

**MOTION TO DISMISS
CANCELLATION**

BOX TTAB

NO FEE

Assistant Commissioner for Trademarks

2900 Crystal Drive

Arlington, VA 22202-3513

COMES NOW PETITIONER, Gustafson, LLC, by and through its counsel of record, and moves to dismiss, with prejudice, its petition to cancel Registration No. 1866643 (the "Registration") for the trademark SECURITY (and design) in International Class 005.

1. Petitioner, Gustafson, LLC, a Delaware Limited Liability Company, with its offices as 1400 Preston Road, Suite 400, Plano, Texas 75093, and is the Applicant for the trademark SECURE, Serial No. 78/055373 (the "Application").

2. The name of the current owner and of the Registration is Shirlo, Inc., whose address is 1525 Howe Street, Racine, Wisconsin 53403.

3. Petitioner originally alleged that it had been damaged by the above-identified registration, and petitioned to cancel the same.

4. Petitioner and Registrant have reached a settlement in this manner, and according to the terms of that settlement, Petitioner now moves to have this cancellation proceeding dismissed with prejudice.

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ATTORNEYS FOR APPLICANT
GUSTAFSON, LLC

Date: 9/29/04

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Certification of Express Mailing (37 C.F.R. Section 1.10)

I hereby certify that this document is being deposited with the United States Postal Services as "Express Mail Post Office to Addressee" number EL42448533005 on the deposit date below in an envelope with sufficient postage addressed to: BOX TTAB FEE, Assistant Commissioner for Trademarks, 2900 Crystal Drive, VA 22202-3513.

Name of Person mailing documents and/or fee: Anthony J. Barbieri

Signature: _____

Date of Deposit: 09-29-04