

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

Mailed: August 20, 2004

Cancellation No. 92042891

First Keystone Financial,  
Inc.

v.

Keystone Financial  
Unlimited, Inc.

**Peter Cataldo, Interlocutory Attorney**

On July 29, 2004, the Board issued an order entering default judgment against respondent herein pursuant to Fed. R. Cv. P. 55. It has subsequently come to the Board's attention that on March 29, 2004, respondent filed a voluntary surrender under Section 7(e) of the Trademark Act of its Registration No. 2657468.<sup>1</sup>

In view thereof, the Board's July 29, 2004 order is hereby vacated.

Trademark Rule 2.134(a) provides that if the respondent in a cancellation proceeding applies to cancel its involved registration under Section 7(e) without the written consent of

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<sup>1</sup>At the time the Board issued its July 29, 2004 order, respondent's March 29, 2004 filing had not yet been associated with the instant proceeding file.

every adverse party to the proceeding, judgment shall be entered against respondent.

In view thereof, and because petitioner's written consent to the voluntary surrender is not of record, judgment is hereby entered against respondent, the petition to cancel is granted, and Registration No. 2657468 will be cancelled in due course.

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