

ESTTA Tracking number: **ESTTA62691**

Filing date: **01/19/2006**

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

Proceeding	92043896
Party	Plaintiff LINEN N THINGS, INC.
Correspondence Address	BRUCE HARAGUCH SEYFARTH SHAW LLP 55 E. MONROE STREET, SUITE 4300 CHICAGO, IL 60603
Submission	Withdrawal of Cancellation
Filer's Name	Bruce Haraguchi
Filer's e-mail	bharaguchi@seyfarth.com
Signature	/Bruce Haraguchi/
Date	01/19/2006
Attachments	junkyard_001.pdf (2 pages)

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

In re Trademark Registration No. 2830595

LINENS 'N THINGS, INC.)

Petitioner)

v.)

THE BANDANA CO., INC.)

Respondent)

Cancellation No. 92043896

Commissioner for Trademarks
P.O. Box 1451
Alexandria, Virginia 22313-1451

**PETITIONER'S WITHDRAWAL OF
PETITION FOR CANCELLATION**

The referenced proceeding was suspended pursuant to Trademark Rule 2.117(a), pending final determination of Civil Action No. 3:03CV-211-C before the U.S. District Court for the Western District of Kentucky. That action has been resolved by a settlement agreement, and issues relating to the subject registration also were resolved by the parties.

Accordingly, Petitioner hereby withdraws its petition to cancel Registration No. 2830595, with prejudice. Although the petition for cancellation may be withdrawn without prejudice under 37 C.F.R. § 2.114(c), Petitioner specifies that this withdrawal is being made with prejudice in accordance with the parties' agreement.

Dated: Chicago, Illinois
January 19, 2006

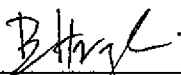
Respectfully submitted,

By 
Bruce Haraguchi
SEYFARTH SHAW LLP
Attorneys for Petitioner
55 East Monroe Street, Suite 4300
Chicago, Illinois 60603
Tel: (312) 269-8963
Fax: (312) 269-8869
E-mail: bharaguchi@seyfarth.com

Certificate of Service

I hereby certify that a copy of this document is being served on Respondent's attorney of record via first class mail on January 19, 2006, to:

Kyle Anne Citrynell
SEILLER & HANDMAKER, LLP
462 South Fourth Avenue, Suite 2200
Louisville, KY 40202


Bruce Haraguchi