

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

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Mailed: November 21, 2006

Cancellation No. 92046017

DIVINE FOODS, INC. DIVINE
FOODS, INC.

v.

SKYLARK SPORT MARKETING
CORPORATION

On October 4, 2006, respondent filed a voluntary surrender under Section 7(e) of the Trademark Act of its Registration No. 2,967,312, with petitioner's written consent and on November 1, 2006, petitioner filed a withdrawal of the petition to cancel without prejudice.

In view thereof, the petition to cancel is dismissed without prejudice in accordance with Trademark Rule 2.134(a), and the registration file is forwarded to the Office of the Commissioner for Trademarks for cancellation under Section 7(e) of the Trademark Act.

*By the Trademark Trial
and Appeal Board*