

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

ac

Mailed: March 17, 2009

Cancellation No. 92048423

Babytown, Inc.

v.

Wrangler Apparel Corp.

Petitioner, without the written consent of respondent, filed a withdrawal of the petition for cancellation on March 16, 2009.

Trademark Rule 2.114(c) provides that after an answer is filed, the petition for cancellation may not be withdrawn without prejudice except with the written consent of respondent.

In view thereof, and because the withdrawal was filed after answer, the petition for cancellation is dismissed with prejudice.¹

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

¹ Registrant's motion to compel filed March 16, 2009 is noted and will not receive any consideration.