

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

MBA/tdc

Mailed: August 31, 2009

Cancellation No. 92050224

Mr. Patrick Klos

v.

Taun Willis

On August 10, 2009, respondent filed, but in violation of Trademark Rule 2.119 failed to serve, a voluntary surrender under Section 7(e) of the Trademark Act of its Registration No. 3377588.<sup>1</sup> 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 every adverse party to the proceeding, judgment shall be entered against respondent. Therefore, because petitioner's consent to the voluntary surrender is not of record, judgment is hereby entered against respondent, the petition to cancel is granted, and Registration No. 3377588 will be cancelled in due course.

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

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<sup>1</sup> Petitioner's motion for judgment, filed August 19, 2009, reveals receipt of respondent's filing so requiring or effecting service is not necessary. Petitioner's motion is moot.