

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

MT

Mailed: September 20, 2010

Cancellation No. 92050333

Remington Health Products,
LLC

v.

Tropiciana Products, Inc.

On September 8, 2010, respondent filed a voluntary surrender under Section 7(e) of the Trademark Act of its Registration No. 2319909 and dismissal of counterclaim Registration No. 2552892, with petitioner's written consent.¹

In view thereof, the petition to cancel is dismissed without prejudice in accordance with Trademark Rule 2.134(a), and Registration No. 2319909 will be cancelled in due course

¹ The parties motion filed September 8, 2010 fails to indicate proof of service, as required by Trademark Rule 2.119. In order to expedite this matter, a copy of the September 8, 2010 paper is forwarded herewith to opposer's and applicant's counsel. Notwithstanding, strict compliance with Trademark Rule 2.119 is required by opposer and applicant in all future papers filed with the Board.

pursuant to Section 7(e) of the Trademark Act and counterclaim
Registration No. 2552892 is hereby dismissed without
prejudice.

*By the Trademark Trial
and Appeal Board*